

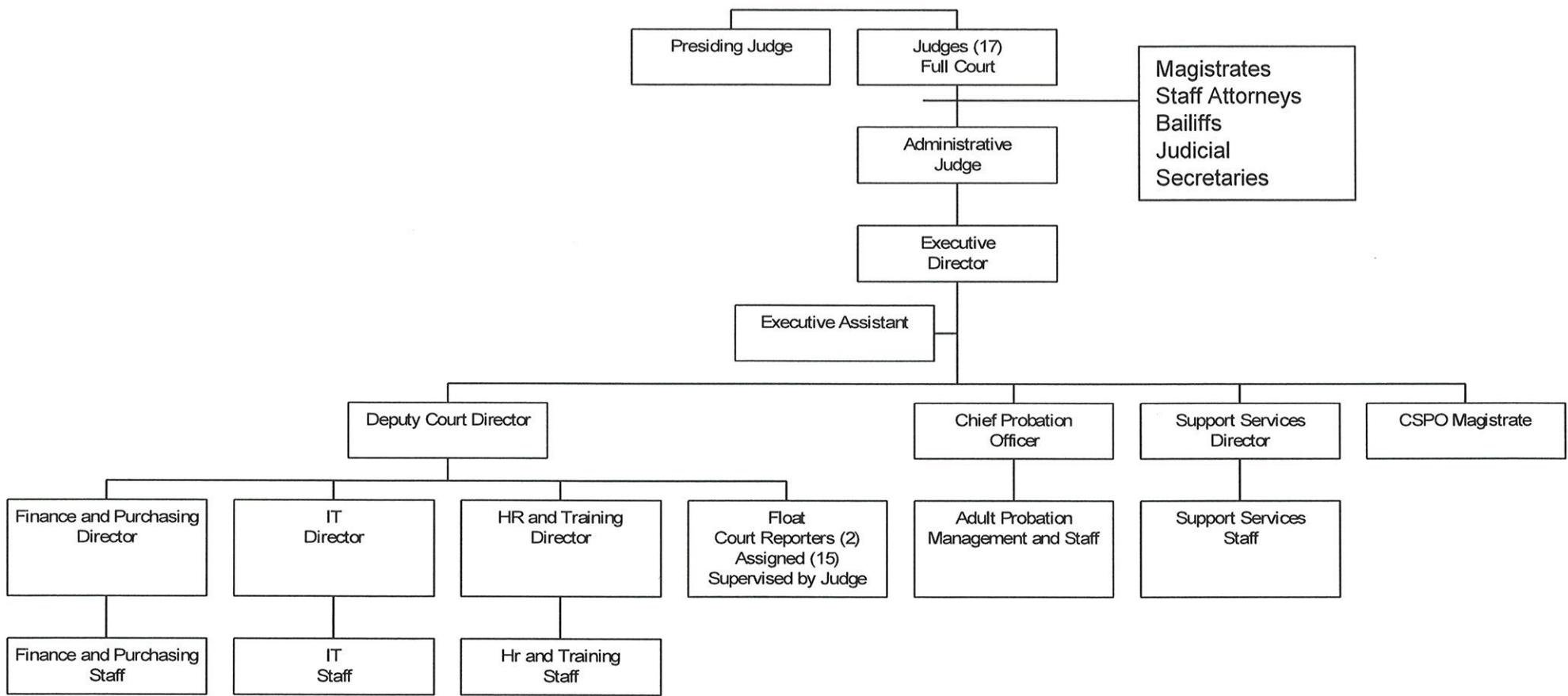
**RULE 4.01. Powers and Duties of Administrative Judge.**

An administrative judge of a court or a division of a court shall do all of the following:

- (A) Be responsible for and exercise control over the administration, docket, and calendar of the court or division;
- (B) Be responsible to the Chief Justice of the Supreme Court in the discharge of the administrative judge's duties, for the observance of the Rules of Superintendence for the Courts of Ohio, and for the termination of all cases in the court or division without undue delay and in accordance with the time guidelines set forth in Sup.R. 39;
- (C) Pursuant to Sup.R. 36, assign cases to individual judges of the court or division or to panels of judges of the court in the court of appeals;
- (D) In municipal and county courts, assign cases to particular sessions pursuant to Sup.R. 36;
- (E) Require timely and accurate reports from each judge of the court or division concerning the status of individually assigned cases and from judges and court personnel concerning cases assigned to particular sessions;
- (F) Timely file all administrative judge reports required by the Case Management Section of the Supreme Court;
- (G) Develop accounting and auditing systems within the court or division and the office of the clerk of the court that ensure the accuracy and completeness of all required reports;
- (H) Request, as necessary, the assignment of judges to the court or division by the Chief Justice or the presiding judge of the court;
- (I) Administer personnel policies established by the court or division;
- (J) Pursuant to Sup.R. 19(B), notify the Office of Attorney Services of the Supreme Court of the appointment or termination of appointment of a magistrate of the court or division;
- (K) Perform other duties as required by the Revised Code, the Rules of Superintendence of the Courts of Ohio, local rules of the court or division, or the Chief Justice;
- (L) Perform any other duties in furtherance of the responsibilities of the administrative judge.

**EXHIBIT**

# Court of Common Pleas- General Division



EXHIBIT

## Cocroft, Kimberly X.

**From:** Sheets, Alissa A.  
**Sent:** Thursday, November 4, 2021 11:48 AM  
**To:** Cocroft, Kimberly X.  
**Subject:** RE: Meetings With Judge McIntosh

Hi Judge. I have asked Judge McIntosh to propose a few dates. I will forward them to you when I have them. Thank you.



### Alissa A. Sheets

Secretary for the Honorable Judge Jeffrey Brown and the Honorable Judge Stephen McIntosh

**Franklin County Common Pleas Court**  
345 South High Street | 4th Floor | Columbus, OH 43215-4554  
(P) 614.525.3550 | (F) 614.525.3868  
[Alissa\\_Sheets@fccourts.org](mailto:Alissa_Sheets@fccourts.org) | <http://www.fccourts.org>

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**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>  
**Sent:** Thursday, November 4, 2021 10:36 AM  
**To:** Sheets, Alissa A. <[Alissa\\_Sheets@fccourts.org](mailto:Alissa_Sheets@fccourts.org)>  
**Cc:** McIntosh, Stephen L. <[Stephen\\_McIntosh@fccourts.org](mailto:Stephen_McIntosh@fccourts.org)>  
**Subject:** Meetings With Judge McIntosh

Good morning, Alissa:

I am attempting to get time on Judge McIntosh's calendar to discuss responsibilities that I will take on next year as Administrative Judge. I feel like afternoons would work best for both of our schedules and I will make myself available whenever Judge McIntosh is available.

I look forward to hearing from you! Thank you in advance!

Have a great day!

Best,  
Judge KC



### Judge Kimberly Cocroft

Pronouns: She/Her/Hers

**Franklin County Common Pleas Court**  
345 South High Street | 4th Floor | Columbus, OH 43215-4554  
(P) 614.525.7200 | (F) 614.525.4641  
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EXHIBIT

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CLASS CODE: 1003

## COMMON PLEAS COURT OF FRANKLIN COURT CLASSIFICATION DESCRIPTION

**POSITION TITLE: EXECUTIVE DIRECTOR**

**PAY GRADE: 24**

**REPORTS TO: ADMINISTRATIVE JUDGE**

**FLSA STATUS: EXEMPT**

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### **Purpose of Position:**

Responsible for the overall administration and management of the Court, to include Court operations and the Adult Probation Department, as directed by the Judges of the Franklin County Court of Common Pleas - General Division. Responsible for developing and implementing policies and procedures for all Court operations to ensure compliance with applicable rules and statutes, and sound managerial and operational practices. Manages the development and submission of the annual budget and the purchasing of supplies, services and equipment. Evaluates program and staffing needs; and hires, trains, and evaluates top level management staff. Establishes and maintains open communication with governmental, community, professional and private organizations which impact the Court's operations.

### **Essential Job Functions:**

- Responsible for the overall administration and management of the Court's departments and the Adult Probation Department.
- Oversees the development and implementation of policies for the Court
- Ensures that the Court maintains a bias-free atmosphere, which encourages and embraces the diversity of its workforce.
- Promotes a work environment that encourages professionalism, loyalty, enthusiasm, and staff safety
- Meets regularly with the Administrative Judge and/or other Judges to review and further define Court policy, identify and resolve operational problems in the court, finalize hiring and termination decisions, and to provide the Judges with both accurate and timely information on all aspects of court operations as necessary and/or required.
- Monitors legislation, issues/initiatives and trends that impact the operations of the court; proposes responses when applicable.
- Oversees project management for the court.
- Oversees the development and submission of the annual budget; monitors the Courts fiscal operations to ensure compliance with accepted accounting procedures, sound business practices, statutes, and contractual agreements.

EXHIBIT

**Common Pleas Court of Franklin County • Executive Director**

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- Provides supervision and management of Court Directors and Magistrates, emphasizing a team based management approach. Meets regularly with Court Directors to facilitate dialog regarding areas of operational concern, and to ensure timely communication of policy directives.
- Oversees the Court's personnel practices and procedures to ensure compliance with Federal, State, and local laws and regulations.
- Oversees the development of a Disaster Control and Recovery Planning.
- Evaluates staffing and program needs throughout the Court and recommends adjustments and/or changes as needed.
- Reviews and approves Receivership reports and fee applications.
- Serves as Court's liaison to Public Facilities Management in the maintenance and day-to-day needs of Court facilities
- Serves as liaison for the Court through participation in committees, community organizations, agencies, and boards.
- Serves as a liaison with the Supreme Court; ensures that the Court is always adequately staffed with temporarily assigned Judges and Visiting Judges; oversees the scheduling and use of these Judges.
- Provides administrative support to the Court in the Court's appointments to various boards including: Veterans Service Commission, Metropolitan Library, and Metropolitan Housing Authority

***The aforementioned duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.***

**Knowledge, Skills & Abilities Required to Perform Essential Job Functions:**

- Ability to synthesize and integrate data for predicting, anticipating, and planning for future events impacting the organization. Includes determining strategic and tactical decisions at the highest organizational levels of authority and responsibility.
- Ability to apply principles of negotiation. Performs such in formal situations within the context of legal guidelines.
- Ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.
- Ability to utilize consulting and advisory data and information, as well as reference, descriptive and/or design data and information as applicable.
- Ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; may include ability to perform mathematical operations with fractions; may include ability to compute discount, interest, and ratios; may include ability to calculate surface areas, volumes, weights, and measures.

**Common Pleas Court of Franklin County • Executive Director**

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- Ability to apply principles of logical or scientific thinking to implement both intellectual and practical relationships. Involves responsibility for consideration and analysis of complex organizational problems of major functions.
- Ability to exercise judgment, decisiveness and creativity in critical and/or unexpected situations involving moderate risk to the organization.
- Ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or workstation.
- Performance of essential functions requires exposure to accused and convicted criminal offenders.

**Qualifications Required to Perform Essential Job Functions:**

- Master's degree in related field.
- Seven (7) years of executive level management experience.

**In addition to the Essential Job Functions and Knowledge, Skills, and Abilities identified, the following competencies are considered during the hiring process and are integral to the position:**

**Knowledge, Skills, and Abilities:** Possesses, acquires, and maintains the technical/professional expertise required to do the job effectively and to create solutions. Technical/professional expertise is demonstrated through problem solving, applying professional judgment, and competent performance

**Decision Making/Problem Solving:** Makes sound, well-informed, and objective decisions in a timely manner. Compares data, information, and input from a variety of sources to draw conclusions; takes action that is consistent with available facts, constraints, and probable consequences. Applies both rational and creative processes to identify unknown root causes of problems. Based on the situation, decides the best course of action, implements the solution, and follows-up to see how it's working. Calculates and evaluates the long-term consequences of a decision.

**Stress Tolerance:** Maintains effective performance under pressure; handling stress in a manner that is acceptable to others and to the organization. Stays calm and even-tempered when handling crises, stressful situations, continuous change, or unexpected

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**Common Pleas Court of Franklin County • Executive Director**

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developments. Is able to recover from difficult situations. Is seen as a settling influence in a crisis.

**Teamwork:** Works effectively in a team environment to accomplish organizational goals. Builds constructive working relationships with interested stakeholders to identify and meet mutual goals and objectives. Participates as an active and contributing member of teams with a focus on improving offender outcomes and department goals. Shares information as appropriate and credit for team accomplishments. Helps create and maintain strong morale and a feeling of belonging in his/her team. Acts as if "true success" is the success of the whole team.

**Conflict Management:** Uses appropriate interpersonal styles and techniques to reduce tension and/or conflict between two or more people; able to size up situations quickly; able to identify common interests; facilitates resolution. Steps up to conflicts and sees them as opportunities. Finds common ground and achieves cooperation without disruption to work flows or interpersonal relationships.

**Cultural Competence:** Values an inclusive organization where the differences of all people are respected, valued and utilized towards achieving common goals. Respects and relates well to people from varied backgrounds, understands diverse worldviews, and is sensitive to group differences; sees diversity as an opportunity, respectfully challenges bias and intolerance. Supports equal and fair treatment.

**Communication:** Clearly conveys and receives information and ideas through a variety of media to individuals or groups in a manner that engages the listener, helps them understand and retain the message and invites response and feedback. Keeps others informed as appropriate. Demonstrates effective written, verbal and listening skills.

**Collaboration:** Develops and maintains effective working relationships with coworkers and stakeholders through the use of strong interpersonal skills to meet mutual goals and objectives. Obtains cooperation from others; seeks and encourages win-win alternatives.

**Influence:** Uses appropriate interpersonal skills and techniques to gain support and acceptance for ideas or solutions. Uses influencing strategies to gain mutually beneficial agreements; Seeks to persuade rather than force solutions or impose decisions or regulations; and recognizes personal autonomy of others.

**Dependability and Reliability:** Personally responsible; completes work in a timely, consistent manner; is committed to being available during business hours to further organizational goals; demonstrates regular and punctual attendance; arrives prepared

**Common Pleas Court of Franklin County • Executive Director**

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for work; is committed to doing the best job possible; diligently follows through on commitments and consistently meets deadlines.

*The Common Pleas Court of Franklin County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Court will provide reasonable accommodation to qualified individuals with disabilities except where a bona fide occupational qualification exists.*



## COMMON PLEAS COURT OF FRANKLIN COURT CLASSIFICATION DESCRIPTION

**POSITION TITLE:** DEPUTY COURT DIRECTOR

**PAY GRADE:** 22

**REPORTS TO:** EXECUTIVE DIRECTOR

**FLSA STATUS:** EXEMPT

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### **Purpose of Position:**

Under the direction of the Court Executive Director serves as the Deputy Court Director, assisting in overall staff development and cross-functional teams to maintain the Court's overall mission. Serves as a member of the Court's Executive Team and assists the Executive Director in the development of organizational goals and values, in policy development, program administration, and the overall direction of the operations of the Court. On a daily basis, acts as a liaison to all areas of the court and provides direct supervision to operational areas of the Court to include the Finance, Information Technology and Human Resources Departments. Responsible for providing leadership for special projects assigned by the Court Executive Director. Directs the collection, evaluation, and dissemination of performance data relevant to the efficiency of the Court. Responsible for the coordination and evaluation of grant opportunities; and, to coordinate quality assurance for all areas of the Court, to include evaluating progress and compliance to performance measures associated with grant awards.

### **Essential Job Functions:**

- Responsible to communicate/perform as a liaison between all areas of the Court including; Finance, Human Resources, Information Technology and Elected Offices, Court Support Services and Adult Probation.
- Responsible to take initiative to identify, meet and facilitate ongoing communications regarding resources required to fulfill Court expectations within all areas of the Court.
- Assists to develop and facilitate a positive and cooperative employment/working relationship within all areas of the Court.
- Communicates with the various areas of the Court for the purpose of emphasizing Court priorities, policies and procedures.

**Common Pleas Court of Franklin County • Deputy Court Director**

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- Works collaboratively with the various areas of the Court to promote systems change and success through building relationships by answering questions, seeking opinions, and identifying concerns.
- Responsible for identifying the need and/or providing departments with guidance, assistance, training and/or mentoring that may be necessary.
- Responsible for continued and frequent contact with all Court employees for purposes of clarifying intent, explaining rationale and advising appropriate desired course of action related to the Court's mission.
- Supervises the Court's Administrative functions to include the Finance, Human Resources and Information Technology Departments.
- Responsible to identify performance tools that may enhance the effectiveness of all areas of the Court.
- Designs tools and processes that assist in the collection of data that analyzes and measures standards and indicators related to performance and generates and/or coordinates the development of various reports regarding performance in all areas of the Court.
- Responsible to analyze and monitor compliance and progress toward meeting performance measure requirements and effectively identify and communicate the potential impact to all areas of the Court.
- Responsible to work collaboratively with all areas of the Court to identify grant opportunities, determining benefits and obligations.
- Maintains confidentiality with respect to all information obtained and processed through Administration.
- Responsible to establish relationships, conduct presentations, trainings, surveys, planning coordination and process, managing logistics and planning for department events/activities as directed by the Executive Director.

***The aforementioned duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.***

**Knowledge, Skills & Abilities Required to Perform Essential Job Functions:**

- Ability to synthesize, hypothesize, and/or theorize concerning data involving modification of existing policies, strategies and/or methods to meet unique or

**Common Pleas Court of Franklin County • Deputy Court Director**

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unusual conditions. Requires the ability to do so within the context of existing organizational theories and management principles.

- Ability to function in a director capacity for a major organizational unit requiring significant internal and external interaction.
- Ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.
- Ability to utilize consulting and advisory data and information, as well as reference, descriptive and/or design data and information as applicable.
- Ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; may include ability to perform mathematical operations with fractions; may include ability to compute discount, interest, and ratios; may include ability to calculate surface areas, volumes, weights, and measures.
- Ability to apply principles of logical or synthesis functions; to deal with several concrete and abstract variables; and to analyze major problems that require complex planning for interrelated activities that can span one or several work units.
- Ability to exercise judgment, decisiveness and creativity in critical and/or unexpected situations involving moderate risk to the organization.
- Ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or workstation.
- Performance of essential functions requires exposure to accused and convicted criminal offenders.

**Qualifications Required to Perform Essential Job Functions:**

- Graduate degree in related field.
- Five (5) years experience in the public sector or courts.
- Five (5) years experience managing employees.

OR:

- Bachelors degree in related field.
- Ten (10) years experience in the public sector or courts.
- Ten (10) years experience managing employees.

**In addition to the Essential Job Functions and Knowledge, Skills, and Abilities identified, the following competencies are considered during the hiring process and are integral to the position:**

**Common Pleas Court of Franklin County • Deputy Court Director**

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**Knowledge, Skills, and Abilities:** Possesses, acquires, and maintains the technical/professional expertise required to do the job effectively and to create solutions. Technical/professional expertise is demonstrated through problem solving, applying professional judgment, and competent performance

**Decision Making/Problem Solving:** Makes sound, well-informed, and objective decisions in a timely manner. Compares data, information, and input from a variety of sources to draw conclusions; takes action that is consistent with available facts, constraints, and probable consequences. Applies both rational and creative processes to identify unknown root causes of problems. Based on the situation, decides the best course of action, implements the solution, and follows-up to see how it's working. Calculates and evaluates the long-term consequences of a decision.

**Stress Tolerance:** Maintains effective performance under pressure; handling stress in a manner that is acceptable to others and to the organization. Stays calm and even-tempered when handling crises, stressful situations, continuous change, or unexpected developments. Is able to recover from difficult situations. Is seen as a settling influence in a crisis.

**Teamwork:** Works effectively in a team environment to accomplish organizational goals. Builds constructive working relationships with interested stakeholders to identify and meet mutual goals and objectives. Participates as an active and contributing member of teams with a focus on improving offender outcomes and department goals. Shares information as appropriate and credit for team accomplishments. Helps create and maintain strong morale and a feeling of belonging in his/her team. Acts as if "true success" is the success of the whole team.

**Conflict Management:** Uses appropriate interpersonal styles and techniques to reduce tension and/or conflict between two or more people; able to size up situations quickly; able to identify common interests; facilitates resolution. Steps up to conflicts and sees them as opportunities. Finds common ground and achieves cooperation without disruption to work flows or interpersonal relationships.

**Cultural Competence:** Values an inclusive organization where the differences of all people are respected, valued and utilized towards achieving common goals. Respects and relates well to people from varied backgrounds, understands diverse worldviews, and is sensitive to group differences; sees diversity as an opportunity, respectfully challenges bias and intolerance. Supports equal and fair treatment.

**Communication:** Clearly conveys and receives information and ideas through a variety of media to individuals or groups in a manner that engages the listener, helps them understand and retain the message and invites response and feedback. Keeps

**Common Pleas Court of Franklin County • Deputy Court Director**

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others informed as appropriate. Demonstrates effective written, verbal and listening skills.

**Collaboration:** Develops and maintains effective working relationships with coworkers and stakeholders through the use of strong interpersonal skills to meet mutual goals and objectives. Obtains cooperation from others; seeks and encourages win-win alternatives.

**Influence:** Uses appropriate interpersonal skills and techniques to gain support and acceptance for ideas or solutions. Uses influencing strategies to gain mutually beneficial agreements; Seeks to persuade rather than force solutions or impose decisions or regulations; and recognizes personal autonomy of others.

**Dependability and Reliability:** Personally responsible; completes work in a timely, consistent manner; is committed to being available during business hours to further organizational goals; demonstrates regular and punctual attendance; arrives prepared for work; is committed to doing the best job possible; diligently follows through on commitments and consistently meets deadlines.

*The Common Pleas Court of Franklin County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Court will provide reasonable accommodation to qualified individuals with disabilities except where a bona fide occupational qualification exists.*



CLASS CODE: 1025

## COMMON PLEAS COURT OF FRANKLIN COURT CLASSIFICATION DESCRIPTION

**POSITION TITLE:** DIRECTOR OF HUMAN RESOURCES AND TRAINING

**PAY GRADE:** 19

**REPORTS TO:** DEPUTY DIRECTOR

**FLSA STATUS:** EXEMPT

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### **Purpose of Classification:**

Under the direction of the Deputy Court Director serves as the Director of Human Resources and Training for the Court, assisting in overall staff development and cross-functional teams to obtain the Court's overall mission. Serves as a member of the Court's Executive Team. Responsible for overseeing all aspects of Human Resources including: recruitment, hiring, training, disciplinary, payroll and benefits for the Court and Adult Probation Department. Provides leadership for projects related to employee relations.

### **Essential Job Functions:**

- Provides human resource consultation and services for the judges and employees for the Court of Common Pleas - General Division.
- Supervises human resources personnel in all Court departments.
- Supervises bi-weekly payroll for all Court departments and serves as liaison to the Auditor's Office concerning payroll and personnel matters.
- Responsible for maintenance of employee benefits and serves as liaison to the Commissioner's Office concerning employee benefits coverage.
- Ensure adequate and timely implementation and compliance with Court policies and procedures.
- Provides assistance to Directors, Managers, and Supervisors in identifying and resolving employee work performance problems and disciplinary issues.
- Ensures compliance with state and federal personnel law, including compliance with the Americans with Disability Act, Family and Medical Leave Act, and other applicable legal requirements.
- Maintains the official personnel records of employees.
  
- Responsible for overall recruiting and hiring of staff, coordinates EEO activity for the Court and maintains all applicable job posting requirements.

**Common Pleas Court of Franklin County • Director of Human Resources & Training**

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- Responsible for orientation of all new employees to explain court policies, procedures and benefits.
- Investigates all workplace complaints as directed by the Deputy and/or Executive Director.
- Responsible for the investigation process regarding employee wrongdoing.
- Serves as Hearing Officer for disciplinary and corrective action hearings and conducts grievance hearings when necessary.
- Responsible for disciplinary processes and their compliance with applicable employment laws.
- Analyzes job requirements and develops job descriptions.
- Assist with the implementation of organizational changes such as those resulting from changes in legislation, revised job classification structures, or technological changes.
- Keeps abreast of personnel law through professional reading and attendance at seminars and classes.
- Analyzes and determines training needs of the Court and formulates and develops plans, procedures and programs to meet specific training needs and issues.
- Organizes and conducts training classes for Court Directors, Managers and Supervisors to include policy enforcement, FMLA, and disciplinary documentation.
- Maintains confidentiality with respect to all information obtained and processed through the Human Resources Department.
- Processes and documents all unemployment compensation requests and workers compensation claims, testifies at Bureau of Workers' Compensation hearings as needed.
- Oversees compensation plan for all Court and Probation employees.
- Prepares specialized reports, statistical reports, and forms; compiles or monitors various administrative/statistical data; performs research as needed; makes applicable calculations; prepares/generates reports; maintains records.
- Performs other related duties as required.

***The aforementioned duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.***

**Knowledge, Skills & Abilities Required to Perform Essential Job Functions:**

**Common Pleas Court of Franklin County • Director of Human Resources & Training**

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- Ability to synthesize, hypothesize, and/or theorize concerning data involving modification of existing policies, strategies and/or methods to meet unique or unusual conditions; ability to do so within the context of existing organizational theories and management principles.
- Ability to function in a managerial capacity for a division or organizational unit. Includes the ability to make decisions on procedural and technical levels.
- Ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.
- Ability to utilize a wide variety of reference, descriptive, advisory and/or design data and information.
- Ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; may include ability to perform mathematical operations with fractions; may include ability to compute discount, interest, and ratios; may include ability to calculate surface areas, volumes, weights, and measures.
- Ability to apply principles of logical or synthesis functions; to deal with several concrete and abstract variables; and to analyze major problems that require complex planning for interrelated activities that can span one or several work units.
- Ability to exercise judgment, decisiveness and creativity in situations involving the evaluation of information against sensory, judgmental, or subjective criteria, as opposed to that which is clearly measurable or verifiable.
- Ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or workstation.
- Performance of essential functions may require exposure to distraught or angry employees.

**Qualifications Required to Perform Essential Job Functions:**

- Bachelor's degree in Human Resources, or related field.
- Five (5) years of related experience to include supervisory management.

**In addition to the Essential Job Functions and Knowledge, Skills, and Abilities identified, the following competencies are considered during the hiring process and are integral to the position:**

**Knowledge, Skills, and Abilities:** Possesses, acquires, and maintains the technical/professional expertise required to do the job effectively and to create solutions. Technical/professional expertise is demonstrated through problem solving, applying professional judgment, and competent performance

**Common Pleas Court of Franklin County • Director of Human Resources & Training**

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**Decision Making/Problem Solving:** Makes sound, well-informed, and objective decisions in a timely manner. Compares data, information, and input from a variety of sources to draw conclusions; takes action that is consistent with available facts, constraints, and probable consequences. Applies both rational and creative processes to identify unknown root causes of problems. Based on the situation, decides the best course of action, implements the solution, and follows-up to see how it's working. Calculates and evaluates the long-term consequences of a decision.

**Stress Tolerance:** Maintains effective performance under pressure; handling stress in a manner that is acceptable to others and to the organization. Stays calm and even-tempered when handling crises, stressful situations, continuous change, or unexpected developments. Is able to recover from difficult situations. Is seen as a settling influence in a crisis.

**Teamwork:** Works effectively in a team environment to accomplish organizational goals. Builds constructive working relationships with interested stakeholders to identify and meet mutual goals and objectives. Participates as an active and contributing member of teams with a focus on improving offender outcomes and department goals. Shares information as appropriate and credit for team accomplishments. Helps create and maintain strong morale and a feeling of belonging in his/her team. Acts as if "true success" is the success of the whole team.

**Conflict Management:** Uses appropriate interpersonal styles and techniques to reduce tension and/or conflict between two or more people; able to size up situations quickly; able to identify common interests; facilitates resolution. Steps up to conflicts and sees them as opportunities. Finds common ground and achieves cooperation without disruption to work flows or interpersonal relationships.

**Cultural Competence:** Values an inclusive organization where the differences of all people are respected, valued and utilized towards achieving common goals. Respects and relates well to people from varied backgrounds, understands diverse worldviews, and is sensitive to group differences; sees diversity as an opportunity, respectfully challenges bias and intolerance. Supports equal and fair treatment.

**Communication:** Clearly conveys and receives information and ideas through a variety of media to individuals or groups in a manner that engages the listener, helps them understand and retain the message and invites response and feedback. Keeps others informed as appropriate. Demonstrates effective written, verbal and listening skills.

**Collaboration:** Develops and maintains effective working relationships with coworkers and stakeholders through the use of strong interpersonal skills to meet mutual goals

**Common Pleas Court of Franklin County • Director of Human Resources & Training**

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and objectives. Obtains cooperation from others; seeks and encourages win-win alternatives.

**Influence:** Uses appropriate interpersonal skills and techniques to gain support and acceptance for ideas or solutions. Uses influencing strategies to gain mutually beneficial agreements; Seeks to persuade rather than force solutions or impose decisions or regulations; and recognizes personal autonomy of others.

**Dependability and Reliability:** Personally responsible; completes work in a timely, consistent manner; is committed to being available during business hours to further organizational goals; demonstrates regular and punctual attendance; arrives prepared for work; is committed to doing the best job possible; diligently follows through on commitments and consistently meets deadlines.

*The Common Pleas Court of Franklin County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Court will provide reasonable accommodation to qualified individuals with disabilities except where a bona fide occupational qualification exists.*



CLASS CODE: 2001

## COMMON PLEAS COURT OF FRANKLIN COUNTY CLASSIFICATION DESCRIPTION

**POSITION TITLE:** DIRECTOR OF COURT SUPPORT SERVICES

**PAY GRADE:** 19

**REPORTS TO:** EXECUTIVE DIRECTOR

**FLSA STATUS:** EXEMPT

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### **Purpose of Position:**

Under the direction of the Court Executive Director serves as the Director of Court Support Services, ensuring the provision of quality support services for the Court, and other departments and agencies within the justice system, by providing professional and efficient caseload and administrative management services. Serves as a member of the Courts Executive Team. On a daily basis, directs Court support operations including: Assignment Office, Court Reporters, Jury Commission, Civil Stalking Protection Order Unit, Grand Jury Office, Visiting Judge Program, Arbitration, Expungement Program and other support areas

### **Essential Job Functions:**

- Responsible for the direct supervision/coordination (including performance evaluations) of work for the following staff members: Assistant Assignment Commissioners, Arbitration Coordinator, Grand Jury Bailiff, Relief Bailiffs, Visiting Judge Bailiff, Relief Secretaries, Magistrates' Secretary, Jury Managers, Judicial Program Assistant, CSPO Liaisons, CSPO Support Staff, Judicial Assistant and Court Reporters.
- Responsible for ensuring adequate staffing levels of Court Support Services including assignment and scheduling of relief personnel, court reporters and other support areas.
- Responsible for hiring, evaluating, discipline, and termination of personnel in Court Support Services areas.
- In conjunction with the Executive Director, responsible for the development and implementation of policies and procedures for the Court Support Services area.
- Responsible for coordinating the Annual Jury draw and additional draws done throughout the year.
- Oversees all activities in the event of a capital case, specifically when a jury is sequestered (i.e., hotel accommodations, restaurants, transportation, payment to vendors, etc.).
- Serves as the Assignment Commissioner in accordance with State statutes

**Common Pleas Court of Franklin County • Director of Court Services**

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- Compiles and validates monthly civil and criminal statistical data and prepares reports for Judges and the Supreme Court of Ohio.
- Conducts audits of the Judge's caseloads as instructed by Executive Director, via the Administrative Judge.
- Operates as the Court's liaison to the Clerk of Courts to ensure the effective operation of the automated case flow management system.
- Oversees the coordination of all activities related to sequestered jurors.
- Conducts functions on the Clerk of Courts case flow management system as needed to provide services/support to the Court and/or Judges.
- Ensures adequate staffing levels of all facets of Court Support Services department.
- Manages the day-to-day operation of the Jury Commission Office.
- Analyzes the Court's jury management plan to determine it's ongoing effectiveness.
- Develops and implements policies and procedures for the operation of the Jury Commission.
- Handles the responsibility for the delivery of summons, tracking of no shows and undeliverable summons of all jurors.
- Coordinates docket scheduling information with the Arbitration Coordinator to assure adequate coverage of court reporters for trials, hearings, etc.
- Assists the Executive Director with recruiting, hiring, grievances, and disciplinary procedures.
- Manages the preparation of the statistics relating to arbitration cases.
- Works with the Director of Management Information Services to coordinate computer automation services throughout the Court.
- Requests all equipment and supplies needed for the offices of the support area and courtroom.
- Trains newly appointed Bailiffs of courtroom procedures, paper flow, case management system, and jury system.
- Serves as a Bailiff in emergency situations and as Public Relations contact for the Court.
- Communicates with the media when necessary under the direction of the Executive Director.
- Oversees the storage of Court Reporter Exhibits.
- Schedules interpreters for courtroom procedures when needed.
- Performs other related duties as required.

***The aforementioned duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.***

**Common Pleas Court of Franklin County • Director of Court Services**

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**Knowledge, Skills & Abilities Required to Perform Essential Job Functions:**

- Ability to synthesize, hypothesize, and/or theorize concerning data involving modification of existing policies, strategies and/or methods to meet unique or unusual conditions. Requires the ability to do so within the context of existing organizational theories and management principles.
- Ability to function in a managerial capacity for a division or organizational unit. Includes the ability to make decisions on procedural and technical levels.
- Ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.
- Ability to utilize a wide variety of reference, descriptive, advisory and/or design data and information.
- Ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; may include ability to perform mathematical operations with fractions; may include ability to compute discount, interest, and ratios; may include ability to calculate surface areas, volumes, weights, and measures.
- Ability to apply principles of logical or synthesis functions; to deal with several concrete and abstract variables; and to analyze major problems that require complex planning for interrelated activities that can span one or several work units.
- Ability to exercise judgment, decisiveness and creativity in situations involving broader aspects of organizational programs and operations, moderately unstable situations, or the direction, control and planning of an entire program or set of programs.
- Ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or workstation.
- Performance of essential functions requires exposure to accused and convicted criminal offenders.

**Qualifications Required to Perform Essential Job Functions:**

- Bachelor's degree in related field.
- Five (5) years of supervisory experience

**Preferred Qualifications:**

- Master's degree in a related degree

**Common Pleas Court of Franklin County • Director of Court Services**

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**In addition to the Essential Job Functions and Knowledge, Skills, and Abilities identified, the following competencies are considered during the hiring process and are integral to the position:**

**Knowledge, Skills, and Abilities:** Possesses, acquires, and maintains the technical/professional expertise required to do the job effectively and to create solutions. Technical/professional expertise is demonstrated through problem solving, applying professional judgment, and competent performance

**Decision Making/Problem Solving:** Makes sound, well-informed, and objective decisions in a timely manner. Compares data, information, and input from a variety of sources to draw conclusions; takes action that is consistent with available facts, constraints, and probable consequences. Applies both rational and creative processes to identify unknown root causes of problems. Based on the situation, decides the best course of action, implements the solution, and follows-up to see how it's working. Calculates and evaluates the long-term consequences of a decision.

**Stress Tolerance:** Maintains effective performance under pressure; handling stress in a manner that is acceptable to others and to the organization. Stays calm and even-tempered when handling crises, stressful situations, continuous change, or unexpected developments. Is able to recover from difficult situations. Is seen as a settling influence in a crisis.

**Teamwork:** Works effectively in a team environment to accomplish organizational goals. Builds constructive working relationships with interested stakeholders to identify and meet mutual goals and objectives. Participates as an active and contributing member of teams with a focus on improving offender outcomes and department goals. Shares information as appropriate and credit for team accomplishments. Helps create and maintain strong morale and a feeling of belonging in his/her team. Acts as if "true success" is the success of the whole team.

**Conflict Management:** Uses appropriate interpersonal styles and techniques to reduce tension and/or conflict between two or more people; able to size up situations quickly; able to identify common interests; facilitates resolution. Steps up to conflicts and sees them as opportunities. Finds common ground and achieves cooperation without disruption to work flows or interpersonal relationships.

**Cultural Competence:** Values an inclusive organization where the differences of all people are respected, valued and utilized towards achieving common goals. Respects and relates well to people from varied backgrounds, understands diverse worldviews, and is sensitive to group differences; sees diversity as an opportunity, respectfully challenges bias and intolerance. Supports equal and fair treatment.

**Common Pleas Court of Franklin County • Director of Court Services**

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**Communication:** Clearly conveys and receives information and ideas through a variety of media to individuals or groups in a manner that engages the listener, helps them understand and retain the message and invites response and feedback. Keeps others informed as appropriate. Demonstrates effective written, verbal and listening skills.

**Collaboration:** Develops and maintains effective working relationships with coworkers and stakeholders through the use of strong interpersonal skills to meet mutual goals and objectives. Obtains cooperation from others; seeks and encourages win-win alternatives.

**Influence:** Uses appropriate interpersonal skills and techniques to gain support and acceptance for ideas or solutions. Uses influencing strategies to gain mutually beneficial agreements; Seeks to persuade rather than force solutions or impose decisions or regulations; and recognizes personal autonomy of others.

**Dependability and Reliability:** Personally responsible; completes work in a timely, consistent manner; is committed to being available during business hours to further organizational goals; demonstrates regular and punctual attendance; arrives prepared for work; is committed to doing the best job possible; diligently follows through on commitments and consistently meets deadlines.

*The Common Pleas Court of Franklin County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Court will provide reasonable accommodation to qualified individuals with disabilities except where a bona fide occupational qualification exists.*

**Cocroft, Kimberly X.**

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**From:** Hawkins, Daniel R.  
**Sent:** Wednesday, September 1, 2021 11:22 AM  
**To:** Phipps, Karen Held; McIntosh, Stephen L; GEN\_Judges  
**Subject:** RE: Court Reporters

I agree this needs further discussion, and that it is time to reassess how the Court reporters are currently managed and overseen as well as the hiring of court reporters moving forward.

As an aside, I am told by our Chief Court Reporter Crystal Hatchett that the first reporter who declined did so because she was given conflicting and inaccurate information about the typical amount of money our court reporters earn on transcripts. This amount is important because our salaries for them are low compared with other courts and agencies. The good news is that this court reporter, who is local, is reconsidering and may be in touch with the court soon to inquire if we would still be willing to hire her.

As for the other two candidates who were offered positions, one lives in California and it will take her a while to get here (if she even does), but the second one I am told lives here locally. Aside from providing his current employer notice, it sounds like he is able to begin much more quickly. If court reporter replacement is in fact a high priority, I believe it would make most sense to offer the first reporter the job immediately if/when she reapproaches the court (which may be by the end of the week) and set a start date for both her and the other local one as soon as he is able to begin, if one hasn't been set already. The one in California should be told we need to rescind the offer due to timing issues but that we anticipate more vacancies in the future and will be in touch.

I apologize for the long email, but given the urgency felt this couldn't wait until our next judges meeting, which unless I missed it I don't believe has been scheduled yet.

To be blunt, I believe there are a number of us judges who feel that our belief in the importance and necessity of using a live court reporter is not shared by those on the second floor who work for us, and despite their assurances to the contrary their efforts to fill vacancies are not indicative of a "high priority". As someone who spent 5 years as a judge in Municipal Court and having personal experience with how the court reporters there are hired and managed, I am dismayed how things operate here given the higher stakes of the cases we deal with as opposed to our colleagues next door. It really isn't this hard, trust me.

Thank you,  
Dan



**Judge Daniel R. Hawkins**  
Franklin County Common Pleas Court  
345 South High Street | 6th Floor | Columbus, OH 43215-4554  
(P) 614.525.6281 | (F) 614.525.6292  
[Daniel\\_Hawkins@fccourts.org](mailto:Daniel_Hawkins@fccourts.org) | <http://www.fccourts.org>

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**From:** Phipps, Karen Held <[Karen\\_Phipps@fccourts.org](mailto:Karen_Phipps@fccourts.org)>  
**Sent:** Wednesday, September 1, 2021 8:57 AM  
**To:** McIntosh, Stephen L. <[Stephen\\_McIntosh@fccourts.org](mailto:Stephen_McIntosh@fccourts.org)>; GEN\_Judges <[GEN\\_Judges@fccourts.org](mailto:GEN_Judges@fccourts.org)>  
**Subject:** RE: Court Reporters

**EXHIBIT**

My concern is after reading the email with the update as to court house technology and audio/video being added I began to consider what direction the court is going regarding the use of court reporters. I believe it is worthy of discussion at the next meeting.

I personally intend to continue the use of a court reporter, my understanding is that most of our colleagues also intend to continue the use of court reporters.



**Judge Karen Held Phipps**  
Franklin County Common Pleas Court  
345 South High Street | 7th Floor | Columbus, OH 43215-4554  
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---

**From:** McIntosh, Stephen L. <[Stephen\\_McIntosh@fccourts.org](mailto:Stephen_McIntosh@fccourts.org)>

**Sent:** Tuesday, August 31, 2021 4:14 PM

**To:** Phipps, Karen Held <[Karen\\_Phipps@fccourts.org](mailto:Karen_Phipps@fccourts.org)>; GEN\_Judges <[GEN\\_Judges@fccourts.org](mailto:GEN_Judges@fccourts.org)>

**Subject:** RE: Court Reporters

Karen and colleagues:

We have had several inquiries regarding the current situation with court reporters. Administration has been diligent about the process. Court Reporter replacement has been a high priority, but it takes time. Unfortunately our first candidate declined the offer. I signed an offer packet for one court reporter last week. I signed another one today for an offer for a second candidate; however, it should be noted they are out of state and the start date will be delayed. With the withdrawal of the first candidate, the only remaining qualified person was interviewed. As you all may know, we always keep postings up for court reporters. In the interim, utilizing outside court reporting companies is being explored. Most, however, are experiencing a shortage also and do not have the resources to assist. There is one company that feels they can meet our daily needs and we are negotiating with them for their services.

Please review the string of emails found below. I recognize it is long, but it answers many of the questions you raised. It speaks to the hiring process at the bottom and then to the specific search currently undertaking.



**Susan E. Bedsole**  
Deputy Court Director | Franklin County Common Pleas Court  
345 South High Street | 2nd Floor | Columbus, OH 43215-4554  
(P) 614.525.3668 | (F) 614.525.4480  
[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org) | <http://www.fccourts.org>

**From:** Bedsole, Susan E.

**Sent:** Tuesday, August 24, 2021 3:30 PM

**To:** Erwin, Shirley A. <[Shirley\\_Erwin@fccourts.org](mailto:Shirley_Erwin@fccourts.org)>; Blair, Samantha M. <[Samantha\\_Blair@fccourts.org](mailto:Samantha_Blair@fccourts.org)>; Clark, Julie A. <[Julie\\_Clark@fccourts.org](mailto:Julie_Clark@fccourts.org)>; Deveno, LouAnn B. <[LouAnn\\_Deveno@fccourts.org](mailto:LouAnn_Deveno@fccourts.org)>; Grooms, Jo-Retta B. <[Jo-Retta\\_Grooms@fccourts.org](mailto:Jo-Retta_Grooms@fccourts.org)>; Hatchett, Crystal <[Crystal\\_Hatchett@fccourts.org](mailto:Crystal_Hatchett@fccourts.org)>; Jackson, Susanna <[Susanna\\_Jackson@fccourts.org](mailto:Susanna_Jackson@fccourts.org)>; Jung, Carol A. <[Carol\\_Jung@fccourts.org](mailto:Carol_Jung@fccourts.org)>; Kaeser, Karla E. <[Karla\\_Kaeser@fccourts.org](mailto:Karla_Kaeser@fccourts.org)>; Luchini, Tammy L. <[Tammy\\_Luchini@fccourts.org](mailto:Tammy_Luchini@fccourts.org)>; Manahan, Carla D. <[Carla\\_Manahan@fccourts.org](mailto:Carla_Manahan@fccourts.org)>; McBrayer, Anne I. <[Anne\\_McBrayer@fccourts.org](mailto:Anne_McBrayer@fccourts.org)>; Reynolds, Ebony M. <[Ebony\\_Reynolds@fccourts.org](mailto:Ebony_Reynolds@fccourts.org)>; Ruef, Denise R. <[Denise\\_Ruef@fccourts.org](mailto:Denise_Ruef@fccourts.org)>; Shupe, Linda S. <[Linda\\_Shupe@fccourts.org](mailto:Linda_Shupe@fccourts.org)>; Snyder, Maggie A. <[Maggie\\_Snyder@fccourts.org](mailto:Maggie_Snyder@fccourts.org)>

**Cc:** McIntosh, Stephen L. <[Stephen\\_McIntosh@fccourts.org](mailto:Stephen_McIntosh@fccourts.org)>

**Subject:** RE: Court Reporter Hiring

Shirley:

Thanks for your questions. I have gone back through emails, messages, and made inquiries to determine specific dates and am providing a chronology to the best of my knowledge.

Initially though, I would like to make sure everyone is aware of the assumptions under which we are required to work. We cannot move forward on *if's* and *maybe's*, a definitive, in writing notice must be received before we can take any formal action regarding personnel. There is, of course, some preliminary work that can be done when we 'hear' there may be movement, but it is limited.

Moreover, the Court averages 2-3 vacancies a month, in addition to lateral movements, all of which must be processed. The average time from vacancy to filing the position is 2-3 months.

Chronology:

- I keep the job posted at all times so there are potentially qualified candidates available immediately should the need arise.
  - Both current candidates had submitted their application a while ago
  - We cannot interview when we don't have a position open
- HR received Tami's resignation on June 1
- HR found out around the same time that Jodi was potentially moving positions
- I received Karla Kaeser's resignation on June 7
- On June 8, HR met with Jody to discuss the particulars of changing positions
- On June 10, HR was notified Judge Brown would like LouAnn to be assigned to his location
- During the weeks of June 14 and 21, HR contacted (left messages for) the qualified candidates to see if they were still interested in the position.
- Jodi became a judicial secretary on June 21
- The last of the candidates returned calls/emails the week of June 21 and interviews were scheduled.
  - Both Crystal and I had vacation time previously scheduled, Judge Cocroft had trials (Ebony was on panel) and all had generally busy schedules; therefore, the first available interview date was July 27 for two candidates
  - One candidate indicated she now had a conflict with the July 27 date and asked to reschedule. She rescheduled for August 10
  - A trial required the interview for the second candidate to move from July 27 to July 30
- The candidate who interviewed on July 30 was offered the position on August 17. She turned down the position on August 24, 2021
- As to the candidate who interviewed on August 9, her hiring packet was completed yesterday and is under review.
- A third candidate submitted an application on 8/13 and was interviewed today, 8/24

In summation, the timelines you mentioned in your email may have been known to others, but the above timelines are the dates upon which we were notified and could take action.

Please let me know if you have any other questions.



**Susan E. Bedsole**

Deputy Court Director | Franklin County Common Pleas Court  
345 South High Street | 2nd Floor | Columbus, OH 43215-4554  
(P) 614.525.3668 | (F) 614.525.4480  
Susan\_Bedsole@fccourts.org | <http://www.fccourts.org>

**From:** Erwin, Shirley A. <[Shirley\\_Erwin@fccourts.org](mailto:Shirley_Erwin@fccourts.org)>

**Sent:** Wednesday, August 18, 2021 11:59 AM

**To:** Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>; Blair, Samantha M. <[Samantha\\_Blair@fccourts.org](mailto:Samantha_Blair@fccourts.org)>; Clark, Julie A. <[Julie\\_Clark@fccourts.org](mailto:Julie_Clark@fccourts.org)>; Deveno, LouAnn B. <[LouAnn\\_Deveno@fccourts.org](mailto:LouAnn_Deveno@fccourts.org)>; Grooms, Jo-Retta B. <[Jo-Retta\\_Grooms@fccourts.org](mailto:Jo-Retta_Grooms@fccourts.org)>; Hatchett, Crystal <[Crystal\\_Hatchett@fccourts.org](mailto:Crystal_Hatchett@fccourts.org)>; Jackson, Susanna <[Susanna\\_Jackson@fccourts.org](mailto:Susanna_Jackson@fccourts.org)>; Jung, Carol A. <[Carol\\_Jung@fccourts.org](mailto:Carol_Jung@fccourts.org)>; Kaeser, Karla E. <[Karla\\_Kaeser@fccourts.org](mailto:Karla_Kaeser@fccourts.org)>; Luchini, Tammy L. <[Tammy\\_Luchini@fccourts.org](mailto:Tammy_Luchini@fccourts.org)>; Manahan, Carla D. <[Carla\\_Manahan@fccourts.org](mailto:Carla_Manahan@fccourts.org)>; McBrayer, Anne I. <[Anne\\_Mcbrayer@fccourts.org](mailto:Anne_Mcbrayer@fccourts.org)>; Reynolds, Ebony M. <[Ebony\\_Reynolds@fccourts.org](mailto:Ebony_Reynolds@fccourts.org)>; Ruef, Denise R. <[Denise\\_Ruef@fccourts.org](mailto:Denise_Ruef@fccourts.org)>; Shupe, Linda S. <[Linda\\_Shupe@fccourts.org](mailto:Linda_Shupe@fccourts.org)>; Snyder, Maggie A. <[Maggie\\_Snyder@fccourts.org](mailto:Maggie_Snyder@fccourts.org)>

**Cc:** McIntosh, Stephen L. <[Stephen\\_McIntosh@fccourts.org](mailto:Stephen_McIntosh@fccourts.org)>

**Subject:** RE: Court Reporter Hiring

I would like to ask a few questions if I may.

I understand hiring is a process and never works as quickly as one might wish. I guess part of my misinformation and conjecture is that administration has known for some time that we needed to hire court reporters. That administration has known for some time, I believe in late April, that Jody was no longer going to be in a position of court reporting, that administration has known that Karla was retiring and that several reporters were going to need to be out for medical leave.

So my questions are, when did administration receive this candidate's application and was 11 business days the absolute earliest this person could be scheduled for an interview? Does administration have an additional applications and are there any further interviews scheduled?

Shirley A. Erwin  
Assistant Official Court Reporter  
Assigned to Honorable Judge Carl Aveni  
345 South High Street  
Columbus, OH 43215  
614-525-5913

**From:** Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>

**Sent:** Tuesday, August 17, 2021 2:32 PM

**To:** GEN\_Court\_Reporters <[GEN\\_Court\\_Reporters@fccourts.org](mailto:GEN_Court_Reporters@fccourts.org)>

**Cc:** McIntosh, Stephen L. <[Stephen\\_McIntosh@fccourts.org](mailto:Stephen_McIntosh@fccourts.org)>

**Subject:** Court Reporter Hiring

Good afternoon:

There appears to be some misinformation or conjecture regarding the hiring of new court reporters; therefore, I wanted to give you an accurate summary of the process.

Following an interview, there are many steps that must be accomplished, an offer is not simply made the following day.

Prior to an offer being made, the following occurs:

- All scoring for the assessment is completed after the interview by three panel participants, this usually takes a few days.
- Scores for both the oral interview and the assessment are compiled to determine applicant selection.
- All candidate references are contacted. This can take several days or even up to a week based upon when they respond to us. We reach out multiple times.
- A criminal record check is conducted.
- Any questions regarding either the references or criminal record check are resolved.
- An electronic hiring packet is created – this document is 100+ pages and includes every document created throughout the interview process.
- The hiring packet is reviewed by the hiring manager and a recommendation written by the manager.
- The hiring packet is then reviewed by the Executive Director and signed.
- Finally the hiring packet is reviewed and approved by the Administrative Judge.

Only after all of the above steps are successfully completed is an offer made.

For the current candidate, it has been 11 business days since her interview. The hiring packet was forwarded to the AJ this morning for signature. This is not an unreasonable amount of time, given the amount of work necessary to complete the hiring process, and as we are also currently in the hiring process for 10 other positions throughout the Court.

If you have any questions regarding pending hiring in the future, please feel free to ask me directly.

Thanks.



**Susan E. Bedsole**

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**Stephen L. McIntosh**  
**Administrative Judge**  
**Franklin County Court of Common Pleas**  
345 South High Street, 4B  
Columbus, Ohio 43215  
(614) 525-3550 (O)  
(614) 525-3868 (F)

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**From:** Phipps, Karen Held <[Karen\\_Phipps@fccourts.org](mailto:Karen_Phipps@fccourts.org)>  
**Sent:** Tuesday, August 31, 2021 9:37 AM  
**To:** GEN\_Judges <[GEN\\_Judges@fccourts.org](mailto:GEN_Judges@fccourts.org)>  
**Subject:** Court Reporters

Has any progress been made with recruiting new court reporters? Common Pleas pays more than both domestic and muni – we should be able to get floats from either of those courts.  
I am concerned that this is not a priority.



**Judge Karen Held Phipps**  
**Franklin County Common Pleas Court**  
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**(P) 614.525.3777 | (F) 614.525.2462**  
**Karen\_Phipps@fccourts.org | <http://www.fccourts.org>**



**The Hon. Kimberly Cocroft  
Administrative Judge**  
Franklin County Court of Common Pleas  
345 South High Street  
Courtroom 4E  
Columbus, Ohio 43215  
614-525-7200

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June 7, 2022

Maryellen O'Shaughnessy  
Franklin County Clerk of Court  
373 S. High Street, 23<sup>rd</sup> Floor  
Columbus, OH 43215

Re: June 6, 2022 Data Board Meeting

Dear Clerk O'Shaughnessy:

It has come to my attention that, at yesterday's Data Board meeting, there was a discussion regarding generic user eFiling accounts used by the Franklin County Public Defender's Office in order to file pleadings associated with matters for which it provides representation. More specifically, it is my understanding that you offered spirited remarks regarding actions of the "Common Pleas Administrative Judge" and an alleged decision by that position to create and/or facilitate a cybersecurity risk by allowing the use of generic accounts. It is my further understanding that you may have represented to the Data Board that you would be disabling these accounts, unless and until you received a specific Order from this Court allowing the practice to continue.

If what I have recounted is accurate and true, then as fellow elected officeholders and women in leadership who are managing vitally important processes, people and paperwork, I would have hoped that one would find worth in having a private conversation about a concern before making a public declaration without proper context. So, in an effort to provide that context, I will share information about which you may not be aware.

It appears that two independent issues have been intertwined and inaccurately associated with the Court. The initial issue arose three months ago when the Court's Deputy Director was informed by the Clerk's Director of Legal Compliance that your office would no longer accept filings filed by someone other than the person who signed the document. This specific point of concern related to Section VII(C)(1) of this Court's Criminal eFiling Administrative Order which states, "The attorney/filer who signs the electronically filed document shall be the attorney/filer whose unique name and password

EXHIBIT

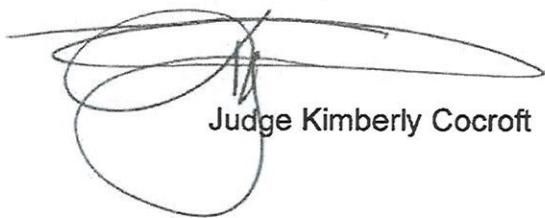
are used to file the document." Please note this language is also contained in the Court's Civil Administrative eFiling Order. As an initial matter, it is important to note that no one from your office preemptively informed the Court that it had made the decision to reject filings based on this language. However, when it was brought to our attention by your Director of Legal Compliance, we convened meetings with all justice partners impacted by this unilateral decision. In an effort to facilitate a cooperative resolution, and consistent with my representation to be actively engaged with the Court's justice partners, I discussed this issue at one of the joint monthly meetings between our organizations. While you have participated in the two most recent monthly meetings, this issue was first addressed during the March meeting. During that meeting, there was agreement to modify the Administrative Order language to allay any concerns that existed. Additionally, the Clerk's Chief Deputy represented that your office would continue this filing practice until such time as the language could be modified. As points of reference, I have provided relevant communications to amplify the genesis and evolution of this issue, since you were not involved in any of the initial conversations. In sum, the Court's primary concern was your office not advising us of a decision to reject filings prior to implementation and also doing so without providing the Court the opportunity to discuss and/or modify its Administrative eFiling Orders.

The second issue, which I understand you referenced during the Data Board meeting, deals with the use of generic user eFiling accounts. Similar to the first issue, we were not aware of this concern until it was brought to our attention by a staff member of the Franklin County Public Defender's Office. To be clear, since the Court neither creates nor assigns user accounts, nor does the Court utilize generic accounts, this is not an issue related to the Court. Further, the Court has never expressed an opinion in opposition to transitioning away from this type of account. The Court's only concern was that the Public Defender (and any other impacted entity) have ample time to transition accounts so that filings would not be interrupted and negatively impact the business of this Court.

To eliminate any confusion about the Court's position or my own, we take seriously the safety and security of all information for which we are responsible, as well as the cyber integrity of the persons to whom the information belongs and by whom the information is created. So, to learn that aspersions have potentially been cast on our commitment, collective work and integrity is disheartening, at best. Moreover, we take seriously the statutory mandates that govern the work and authority of the Court. Specifically, R.C. 2303.26 recognizes that, in the performance of the Clerk's official duties, it shall be under the direction of the court. While the Court has never been and has no intention of being unfair or unduly harsh in its orders and requests, it does recognize its obligation to manage its work in an orderly and efficient way. As previously stated, the Court has worked to be a great justice partner to the Clerk that communicates openly and honestly about growth opportunities and areas of concerns. And it is my continued hope that there will be a renewed commitment to extend the same level of professional courtesy and consideration from your office to the Court.

If you would like to talk with me about this or any other issue, my door is always open for constructive conversation.

Sincerely,



Judge Kimberly Cocroft

cc: Michael Stinziano, Franklin County Auditor  
Nikki Milburn, Director - Enterprise Information Security  
Judge Kimberly J. Brown, Court IT Committee Chair, Data Board Member  
Angela Mathews, Chief Deputy  
Sharlene Chance, Director of Legal Compliance  
Jennifer Goodman, Executive Director  
Susan Bedsole, Deputy Director

## Training Plan

### Issues

- I. Job Knowledge
  - A. Criminal Docket
    1. Motions- Does not appear to have a solid understanding of the e-filing process and the role that she is responsible for in that process
    2. Continuance Entries
    3. Negligent
      - i. failing to add invitations to the Judge's calendar
      - ii. failing to identify information accurately (date offer is on the record)
  - B. Courtroom Management
    1. Awareness
      - a. unaware of those entering the courtroom
      - b. unaware of when offers are on the record
      - c. distracted by computer, not focused on courtroom activities
    2. Appears unable to manage courtroom in a confident/authoritative manner
- II. Performance Expectations
  - A. Managing job duties below expectations despite having discussed deficiencies and asking for solutions to enable satisfactory work.
  - B. Failing to identify and manage urgent matters (sovereign citizen – competency matter)
  - C. Failing to identify and communicate important information (re. attorneys, colleagues)
  - D. Failing to independently manage matters, no action until the Judge provides direction
  - E. Failing to organize tasks in a manner to manage efficiently

### Plan

- I. 30, 60, 90 day review process – meet at designated intervals to discuss training, improvement, needed improvement and next steps.
- II. Schedule Stacy Worthington to provide job duty (knowledge) training. It appears that Melissa Bowersock has already been assigned.
- III. Attend training – Accountability and Self Direction 8/31, Time Management 9/16.

EXHIBIT

**Cocroft, Kimberly X.**

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**From:** Pesterfield, Walt J.  
**Sent:** Thursday, May 19, 2022 11:17 AM  
**To:** Cocroft, Kimberly X.  
**Subject:** RE: Ken Kidwell 18CR-5831 & 21CR-0029

Great. I will plan on reporting to your office at 3:30.

Thank you,  
Walt



**Walt J. Pesterfield**

Chief Probation Officer  
Pronouns: He/Him/His  
Franklin County Common Pleas Court  
369 South High Street | 5th Floor | Columbus, OH 43215-4554  
(P) 614.525.3772 | (F) 614.525.3685  
[Walt\\_Pesterfield@fccourts.org](mailto:Walt_Pesterfield@fccourts.org) | <http://www.fccourts.org>

---

**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>  
**Sent:** Thursday, May 19, 2022 11:11 AM  
**To:** Pesterfield, Walt J. <[Walt\\_Pesterfield@fccourts.org](mailto:Walt_Pesterfield@fccourts.org)>  
**Subject:** RE: Ken Kidwell 18CR-5831 & 21CR-0029

Good morning, Mr. Pesterfield:

Thank you for your response. I have a meeting at 1:30 and can touch base with you after. I know that you have a debrief meeting with Jen so we can meet either before or after that meeting.

Be well.

Best,  
Judge KC

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**From:** Pesterfield, Walt J. <[Walt\\_Pesterfield@fccourts.org](mailto:Walt_Pesterfield@fccourts.org)>  
**Sent:** Thursday, May 19, 2022 11:09 AM  
**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>; Mead, Larry W. <[Larry\\_Mead@fccourts.org](mailto:Larry_Mead@fccourts.org)>; Chopp, Wendy M. <[Wendy\\_Chopp@fccourts.org](mailto:Wendy_Chopp@fccourts.org)>  
**Subject:** RE: Ken Kidwell 18CR-5831 & 21CR-0029

Good morning Judge Cocroft,

Thank you for reaching out to us regarding the email from PO Hoffman and the concerns that you point out. I will be meeting with Manager Chopp and Supervisor Mead today to discuss and resolve this issue. I apologize for this occurrence and we will make adjustments to ensure that this specific type of incident does not occur again. I will brief you on our conversations at your convenience. If you are available this afternoon I can report to your office, or at a day and time of your convenience.

EXHIBIT

Sincerely,

Walt



**Walt J. Pesterfield**

Chief Probation Officer

Pronouns: He/Him/His

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**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Sent:** Tuesday, May 17, 2022 11:27 AM

**To:** Pesterfield, Walt J. <[Walt\\_Pesterfield@fccourts.org](mailto:Walt_Pesterfield@fccourts.org)>; Mead, Larry W. <[Larry\\_Mead@fccourts.org](mailto:Larry_Mead@fccourts.org)>; Chopp, Wendy M. <[Wendy\\_Chopp@fccourts.org](mailto:Wendy_Chopp@fccourts.org)>

**Subject:** FW: Ken Kidwell 18CR-5831 & 21CR-0029

Good morning, Team:

First, Mr. Pesterfield, I know you are out of the office so PLEASE do not respond to this until AFTER you return to the office.

I wanted to pass along a series of communication between P.O. Hoffman and me. Candidly, I am concerned with and challenged by her tone and some of the covert implications she made regarding cases that were set before me originally on May 6. If any of you knows me even a little, then you know that I operate from a perspective of collaboration and mutual respect. But it appears that Ms. Hoffman is operating under the impression that the treatment she received from my staff or me was less than respectful.

Let me make clear as an initial matter that the implied or explicit tone of Ms. Hoffman's emails and any suggestion from Ms. Hoffman that she was intentionally not included in information sharing is unacceptable for any number of reasons. You will note that I informed her that I would be sending this chain of communications to all of you. In my 13 years, I have never received this kind of communication from any officer, and I anticipate fully that I will not receive one like this again. If there are communication gaps between officers who cover my dispos and those to whom cases are assigned, then I trust our APD Team to sort through those concerns. But, again, I have never experienced any challenge with officers communicating new dates to assigned PO's or the assigned PO's simply checking CIO for updated information.

Once Mr. Pesterfield is back in the office, I would be happy to talk with any or all of you about this situation.

I hope that each of you continues to be safe and well.

Best,  
Judge KC

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**From:** Cocroft, Kimberly X.

**Sent:** Tuesday, May 17, 2022 10:54 AM

**To:** Hoffman, Deanna J. <[Deanna\\_Hoffman@fccourts.org](mailto:Deanna_Hoffman@fccourts.org)>

**Cc:** Crum, ShaQuanna N. <[ShaQuanna\\_Crum@fccourts.org](mailto:ShaQuanna_Crum@fccourts.org)>

**Subject:** RE: Ken Kidwell 18CR-5831 & 21CR-0029

Good morning, Ms. Hoffman:

First, the tone of your communication seems to suggest that you are offended that you were not made aware of the change. But perhaps I am misunderstanding your tone.

Next, both Ms. Gruss and Mr. Horstman were covering dispositions on May 6. In my 13 years as a Judge, I have never contacted a probation officer to make them aware of a rescheduled date, nor have I required my bailiff to contact a probation officer directly to inform an assigned officer of a new date. I don't know if you were aware of the officers who covered, but they were advised of the new date, as is the custom of my courtroom. You should never anticipate that I am going to reach out to you with that information.

Third, if you saw the new date when you checked the binder, then I am unclear about the level of consternation that I am sensing through your communication.

Additionally, when did you check the CIO binder? There are repeated references to what you learned when you checked it versus the fact that neither you nor Mr. Kidwell were advised of the new date.

Further, it was Mr. Kidwell's counsel who requested the change of date from 5/20 to 5/16. So, perhaps, what I perceive to be your upset lies with him.

Next, if you notified Mr. Kidwell of his 5/6 court date on 5/3 and he did not appear (which he didn't), then I am going to presume that he was also aware that the date had been continued preemptively (again, at the request of his counsel).

Finally, I continue to have the sense that you feel slighted by this Court, which is somewhat offensive to me personally because I don't engage in disrespectful behavior, nor do I accept it. Your repeated references to "If I had been made aware" are off-putting, at best. It is my known practice to work collaboratively with my officers and it is my understanding that the officers who cover my sentencing dates do share what happens on the record.

So here is what I will do – I will share this chain of communications with Probation leadership so that they can have a better sense of your concerns. And then they can facilitate internal conversations about how information is communicated so that you are always aware of what has taken place.

But as I stated previously, I will wait until this Friday to see if Mr. Kidwell appears and, if he does, then I will make a decision about what I will do regarding the capias.



Judge Kimberly Cocroft  
Administrative Judge  
Pronouns: She/Her/Hers  
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[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org) | <http://www.fccourts.org>

---

**From:** Hoffman, Deanna J. <[Deanna\\_Hoffman@fccourts.org](mailto:Deanna_Hoffman@fccourts.org)>

**Sent:** Tuesday, May 17, 2022 9:23 AM

**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Cc:** Crum, ShaQuanna N. <[ShaQuanna\\_Crum@fccourts.org](mailto:ShaQuanna_Crum@fccourts.org)>

**Subject:** RE: Ken Kidwell 18CR-5831 & 21CR-0029

Good morning,

Neither Mr. Kidwell or I was made aware of the date change. I was checking his binder to make sure everything was updated for 5/20 since I was out 5/12 and 5/13 for training. When I checked the binder, I saw Ms. Crum had updated the date on the binder from 5/20 to 5/16. I was not made aware of this change. Then I checked CIO and saw that the date had been struck on 5/9 changing it from 5/20 to 5/16. Again, probation was not made aware of this change. When I looked at his address in CIO, the street number is listed incorrectly. I last spoke to him on 5/3 reminding him of his Court date on 5/6. I was not made aware that he did not appear for the 5/6 hearing. If I had been made aware, I could have communicated this directly to Mr. Kidwell.

Thanks,  
Deanna

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**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>  
**Sent:** Tuesday, May 17, 2022 6:09 AM  
**To:** Hoffman, Deanna J. <[Deanna\\_Hoffman@fccourts.org](mailto:Deanna_Hoffman@fccourts.org)>  
**Cc:** Crum, ShaQuanna N. <[ShaQuanna\\_Crum@fccourts.org](mailto:ShaQuanna_Crum@fccourts.org)>  
**Subject:** Re: Ken Kidwell 18CR-5831 & 21CR-0029

Good morning, Ms. Hoffman:

I want to get clarity on your communication — when you say “We were not made aware of the court date change”, whom are you referencing? Mr. Kidwell’s attorney appeared on yesterday so I am unclear procedurally on how or why counsel would have been aware of the date and Mr. Kidwell was not. Does anyone have a phone number for Mr. Kidwell? How long has someone known that the Clerk has an incorrect mailing address? Is your email meant to suggest that Mr. Kidwell will likely appear on 5/20 since it is your understanding that he believes this is the hearing date? When did you last have any communication with Mr. Kidwell? If I recall correctly, Mr. Kidwell’s cases were continued preemptively from the 5/6 dispo date; he didn’t appear for that scheduled hearing. Once I get additional information, I will make a decision regarding your request.

Thanks and be well.

Judge KC

Sent from my iPhone

On May 16, 2022, at 4:10 PM, Hoffman, Deanna J. <[Deanna\\_Hoffman@fccourts.org](mailto:Deanna_Hoffman@fccourts.org)> wrote:

Good afternoon,

I was reaching out due to a Capias being issued today for the defendant failing to appear for his Revocation Hearing. I made note after the 5/5/22 date that his hearing was scheduled for 5/20. I was not made aware that the disposition date had been changed. The Clerk’s Office has the incorrect address for the defendant as well so he would not have received notice. Is there any way the capias can be set aside and a new date scheduled since we were not made aware of the court date change?

Thanks,



**Deanna Hoffman**  
**Risk Reduction Probation Officer**  
**Franklin County Common Pleas Court**  
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**(P) 614.525.4315 | (F) 614.525.3685**  
**Deanna\_Hoffman@fccourts.org | <http://www.fccourts.org>**

**Cocroft, Kimberly X.**

**From:** Cocroft, Kimberly X.  
**Sent:** Wednesday, July 6, 2022 3:35 PM  
**To:** Bedsole, Susan E.; Goodman, Jennifer L.; Worthington, Stacy A.; Davis, Cameo E.; Scott, Christopher M.  
**Subject:** RE: New Staff Attorney - Daenaya Harris

Thank you for the collective responses. I knew of [REDACTED] circumstance but was unclear that she was the only person who provided efile training.

Be well.

Judge KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers  
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Kimberly\_Cocroft@fccourts.org | <http://www.fccourts.org>

---

**From:** Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>  
**Sent:** Wednesday, July 6, 2022 3:29 PM  
**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>; Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Worthington, Stacy A. <[Stacy\\_Worthington@fccourts.org](mailto:Stacy_Worthington@fccourts.org)>; Davis, Cameo E. <[Cameo\\_Davis@fccourts.org](mailto:Cameo_Davis@fccourts.org)>; Scott, Christopher M. <[Christopher\\_Scott@fccourts.org](mailto:Christopher_Scott@fccourts.org)>  
**Subject:** RE: New Staff Attorney - Daenaya Harris

Good afternoon Judge:

Thanks for the email, please see our collective response below.



**Susan E. Bedsole**

Deputy Court Director | Franklin County Common Pleas Court  
345 South High Street | 2nd Floor | Columbus, OH 43215-4554  
(P) 614.525.3668 | (F) 614.525.4480  
[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org) | <http://www.fccourts.org>

---

**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>  
**Sent:** Wednesday, July 6, 2022 10:25 AM  
**To:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>; Worthington, Stacy A. <[Stacy\\_Worthington@fccourts.org](mailto:Stacy_Worthington@fccourts.org)>; Davis, Cameo E. <[Cameo\\_Davis@fccourts.org](mailto:Cameo_Davis@fccourts.org)>; Scott, Christopher M. <[Christopher\\_Scott@fccourts.org](mailto:Christopher_Scott@fccourts.org)>  
**Subject:** New Staff Attorney - Daenaya Harris

Good morning:

I wanted to touch base regarding my new Staff Attorney's transition to the position. In conversation with her today, she shared some issues that arose on yesterday.

First, the IT person with whom she trained stated that he could not answer most of her questions because he did not work court-side IT. I do not know with whom she met but I would appreciate Daenayia having the opportunity to talk with someone who can answer her questions. We are happy to answer any questions she has, she has already spoken with Chris Scott and he answered her couple of questions.

The other IT issue that exists is if or how entries that were on the calendar for my previous Staff Attorney can be transferred to Daenayia's calendar. I was talking with her about status conferences that are set for next week and she had no idea what I was referencing because those entries have not been made available to her. I don't know if it is possible to do a transfer or if I will have to manually forward those calendar invitations to her. Every person has their own individual calendar that is private only to them (unless permission is given for access of course). When a person leaves the Court, their account is terminated and their email/calendar ceases to exist. Although Microsoft can export calendars (unless there are private meetings, then it can't export), we don't normally do so because most calendars contain personal information and it wouldn't be appropriate to copy over onto another person's calendar. Chris S will give her access to see Amy's old calendar temporarily and will show her how to manually add them to her calendar.

Next, we do not keep an abundance of supplies here in chambers and I want to confirm that the 2<sup>nd</sup> floor supply room is available for staff, as well. I do not believe that there was conversation with Daenayia regarding the process for requesting supplies that she will need for her office so it would be helpful if someone could review that with her. Since we were unable to do the tour yesterday, she was not shown the supply closet until today. She should be good to go with respect to supplies!

Finally, Daenayia shared with me that a review of efile system will not take place until Friday. In the interim, I have asked Isaac Rinsky to share insights with her and then the training of Friday can supplement the information he provides. I believe that my prior Staff Attorney created a binder of my preferences and left it with Stacy for purposes of training so I would appreciate that information being reviewed, as well. For example, all of my civil status conferences are through the telephonic Teams system, so Daenayia will need to learn how to create and assign that information. [REDACTED] [REDACTED] and is unexpectedly out of the office thereby delaying training; however, going forward we will ensure there is a backup trainer.

I think that's all for now but will let you know if there are other issues as I confer with Daenayia.

Thanks and be well.

Best,  
Judge KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

Franklin County Common Pleas Court

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## Contributing Factors to Shortage Issues

### Situational circumstances

Please refer to *Discussion Points* section above

Large number of tenured staff accruing higher leave balances requiring more coverage

2018		2019		2020		2021	
Position	Hours Covered By CSS	Position	Hours Covered By CSS	Position	Hours Covered By CSS	Position	Hours Covered By CSS
Secretary	492	Secretary	412	Secretary	420	Bailiff	600
Bailiff	328	Bailiff	388	Bailiff	300	Bailiff	500
Secretary	264	Bailiff	352	Secretary	276	Bailiff	360
Bailiff	252	Bailiff	292	Secretary	272	Secretary	304
Secretary	248	Bailiff	276	Bailiff	228	Bailiff	292
Bailiff	248	Secretary	252	Bailiff	196	Secretary	232
Secretary	228	Bailiff	224	Secretary	192	Bailiff	232
Secretary	224	Secretary	216	Bailiff	180	Secretary	212
Bailiff	192	Secretary	216	Bailiff	180	Bailiff	208
Bailiff	152	Bailiff	144	Bailiff	180	Secretary	188
Secretary	144	Bailiff	132	Bailiff	176	Secretary	188
Bailiff	140	Bailiff	124	Bailiff	140	Bailiff	176
Secretary	132	Bailiff	124	Secretary	124	Secretary	152
Bailiff	128	Secretary	120	Bailiff	116	Secretary	112
Bailiff	112	Bailiff	116	Bailiff	104	Bailiff	96
Bailiff	104	Secretary	104	Bailiff	88	Bailiff	80
Bailiff	76	Secretary	104	Secretary	76	Secretary	76
Bailiff	76	Bailiff	72	Secretary	64	Bailiff	72
Secretary	72	Bailiff	72	Bailiff	52	Bailiff	56
Bailiff	52	Bailiff	64	Secretary	48	Bailiff	48
Bailiff	32	Bailiff	60	Bailiff	48	Secretary	36
Secretary	24	Bailiff	44	Bailiff	32	Secretary	32
Bailiff	20	Secretary	24	Bailiff	32	Bailiff	16
Bailiff	16	Secretary	24	Secretary	20	Bailiff	16
Bailiff	0	Bailiff	24	Bailiff	8	Bailiff	12
Secretary	0	Bailiff	20	Secretary	8	Bailiff	8
Bailiff	0	Secretary	0	Bailiff	8	Bailiff	0
Bailiff	0	Bailiff	0	Bailiff	8	Secretary	0
		Bailiff	0	Bailiff	4	Bailiff	0
				Bailiff	0		
Total Hrs Covered	3756		4000		3580		4304

Discrepancies in submittal of leave time

2018				2019			
Position	Hours Covered By CSS	Leave Hours Submitted	Leave Hours Not Submitted	Position	Hours Covered By CSS	Leave Hours Submitted	Leave Hours Not Submitted
Secretary	228	48	180	Secretary	252	37	215
Secretary	248	202.5	45.5	Bailiff	388	216	172
Bailiff	328	283.5	44.5	Bailiff	352	259.5	92.5
Secretary	224	184	40	Bailiff	276	184	92
Secretary	492	472	20	Secretary	412	339.5	72.5
Bailiff	252	240	12	Bailiff	24	0	24
Bailiff	192	190	2	Secretary	216	199.5	16.5
<b>Total</b>			<b>344</b>	<b>Total</b>			<b>684.5</b>
2020				2021			
Position	Hours Covered By CSS	Leave Hours Submitted	Leave Hours Not Submitted	Position	Hours Covered By CSS	Leave Hours Submitted	Leave Hours Not Submitted
Secretary	420	293	127	Bailiff	600	442	158
Bailiff	180	95.5	84.5	Bailiff	232	174	58
Bailiff	116	32	84	Bailiff	176	120	56
Bailiff	48	0	48	Secretary	188	162	26
Bailiff	300	263	37	Secretary	212	190	22
Secretary	276	240	36	Bailiff	16	0	16
Secretary	192	162.5	29.5	Bailiff	16	0	16
Bailiff	140	116	24	Bailiff	500	484.33	15.67
Bailiff	88	67.5	20.5	Bailiff	72	59.5	12.5
Bailiff	196	176	20	Bailiff	292	281	11
Bailiff	176	158	18	Bailiff	48	38	10
Secretary	48	36	12	Bailiff	360	354	6
Bailiff	228	217.5	10.5	Secretary	304	298.5	5.5
Secretary	124	115	9	Secretary	32	28	4
Bailiff	52	46	6	<b>Total</b>			<b>416.67</b>
Secretary	64	58.5	5.5				
<b>Total</b>			<b>571.5</b>				

**Cocroft, Kimberly X.**

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**From:** Cocroft, Kimberly X.  
**Sent:** Monday, July 11, 2022 1:14 PM  
**To:** Aveni, Carl A.  
**Subject:** RE: Jurors

Judge:

This will be my final response because this conversation is becoming unnecessarily circular.

The challenge that exists is that there were enough jurors; you received a panel of 24, which is what is contemplated by the rule. If it is your request that we have an escalating system of assignment based on an assessment of the seriousness of a criminal charge, then I am happy to have that discussion at a Judge's Meeting. I appreciate that you have many years of service as a civil litigator, as well as your recitation of experiences in that role. But in my 13 years of service as a judge, having tried Murder cases with RVO and firearm specs, I have been able to move to conclusion with the number of prospective jurors permitted by the rule.

Clearly, we view this differently. However, I am willing to raise the issue before our colleagues so that we can address whatever you believe the concern is. Shortly after your communication, I received an email from another colleague, sharing that there would be a murder trial with a request for 30 jurors. So I am certain that you have a conversation with our colleague about this circumstance. I want you to know that my door is always open for constructive and respectful conversation. If you have suggestions about how a process can be enhanced, then please don't hesitate to let me know.

Be well.

KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

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**From:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>  
**Sent:** Monday, July 11, 2022 12:40 PM  
**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>  
**Subject:** RE: Jurors

Thanks Judge. To be clear, it is not the exigencies of a media case. It's the exigencies of an Agg. Murder/RVO. The sort of case that we all get in the ordinary course, and which do not require special summons (but do occasionally get a reporter in the gallery). But because of the serious nature of the charges, have traditionally taken a higher priority than the civil cases when juror resources are at a premium, as they were apparently today. That's an exigent situation (at least in my mind) because it is a function of how many jurors actually reported on the Monday morning, balanced against whatever other demands were placed on that pool by the number of cases going forward across the building.

**EXHIBIT**

I don't see how that could be prepared for, other than on the Monday itself. I know from my own experiences over the years as a civil trial lawyer that we were occasionally bounced on the morning of, for want of enough jurors.

In any event, the problem worked itself out, because of an evidentiary issue and witness timing question that also arose coincidentally. Such is the nature of things, and I'm glad we didn't need to ultimately test whether a panel of 24 would be enough, or whether successive rounds of voir dire would have had to spill out over two days. But it seems like this is an issue that will occasionally arise, and that we should perhaps discuss further.

Thanks again.



**Judge Carl A. Aveni**

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**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Sent:** Monday, July 11, 2022 12:10 PM

**To:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>

**Subject:** RE: Jurors

Judge:

I see you've done research.

In truth, each of the judges with a civil matter requested 24 jurors. As is my responsibility, I directed the Managers to make the reduction. The matter before the VJ involves a hospital system. And I recall that when you had a civil matter that involved a hospital system recently, you requested and received more than 18 jurors, so I am confident that you can appreciate the challenges that exist with those kinds of cases, as well.

Further, I continue to be unclear on how the exigencies of your circumstance were not considered. There was no indication that I or the Jury Managers received regarding your matter being a high profile media case for which additional resources would be necessary. When I have been made aware of any additional exigencies prior to the day of trial, I have always been responsive and receptive. For example, when you indicated after our vote regarding not summoning jurors for the 4<sup>th</sup> of July holiday that you would need a panel, we summoned those jurors for you (though that matter did not move forward, either). In this instance, there was nothing, beyond a request for 30 jurors (which exceeds what is contemplated by our local rule), that would have indicated to me that this was an exigent circumstance. I have assigned a prospective pool of 24 jurors for other murder cases and there has not been an issue.

Regrettably, not everyone continues to be anxious to serve as a prospective juror but that does not stop the flow of requests for panels. This process is an inexact science. Nevertheless, my responsibility is to do what I can do to ensure that the constitutional rights of defendants who request jury trials are protected and to ensure that civil litigants, whose cases are no less important to them, also have an opportunity to seek redress.

Indeed, all's well that ends well. If you want to tell me the date on which this matter is next set, then I will alert our Jury Manager staff today.

Best,  
KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

Franklin County Common Pleas Court

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**From:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>

**Sent:** Monday, July 11, 2022 11:42 AM

**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Subject:** RE: Jurors

Thank you Judge. One of the civil cases going today is before a Visiting Judge. I am surprised that they are pulling 21 jurors under the circumstances, and given that measure of priority against the exigencies of this matter. Having been on the receiving end of that dynamic many times during my time in private practice on civil cases, I knew how that issue traditionally broke out, when A VJ was involved.

But, in any event, this issue, and an unrelated evidentiary issue/witness timing issue have now prompted counsel to ask me to continue this case. So all's well that ends well. I will be sure to pass along to staff that they should reach out to your chambers the week prior so that we have greater clarity and fewer surprises.



**Judge Carl A. Aveni**

Franklin County Common Pleas Court

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---

**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Sent:** Monday, July 11, 2022 10:45 AM

**To:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>

**Subject:** RE: Jurors

Good morning, Judge:

My intention was to fill all 4 requests that were submitted so that no judge would have to wait for a panel. It is difficult for us to manage requests that exceed what our local rules permit when we don't have advance notice. For example. Judges Miller and McIntosh both had requests for panels that exceeded what is permitted by rule based on circumstances similar to yours; however, each notified me at least a week before the matter was set so that I could work with our Managers in an effort to fulfill the request. The other option would have been to request a special panel to facilitate the process. One of our colleagues has a 19 case with an in defendant that is also set for trial today. And, in truth, I had to reduce panels for all of the judges who requested jurors because we did not have the numbers to support the requests. We actually lost two jurors who reported initially but started to feel unwell after they appeared. So there are literally no jurors in the pool currently.

I am certainly willing to send additional jurors once they become available. I know that this is little consolation for you but we are trying to do what we can with the limited resources that are available.

I appreciate your understanding and we will work to address your concern as quickly as possible.

Be well.

KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

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**From:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>

**Sent:** Monday, July 11, 2022 10:30 AM

**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Subject:** Jurors

Judge:

I hear I've only got 24 jurors for my Agg. Murder/Murder/FA w/specs. Case pending since 2020, with a media presence. I'm sure that there are a number of demands on the limited pool reporting today. But I'm concerned this makes it likely we'll have to do a whole 2<sup>nd</sup> voir dire this afternoon, given the number of for cause challenges we're likely to see in this type of case. Any possibility of getting 2 more now so that we're not adding to the probability of repeating ourselves and delaying throughout?



**Judge Carl A. Aveni**

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**Cocroft, Kimberly X.**

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**From:** Cocroft, Kimberly X.  
**Sent:** Tuesday, July 19, 2022 3:55 PM  
**To:** Kohn, Paige E.  
**Cc:** Serrott, Mark A.  
**Subject:** RE: 19CV1804 - Haggins v. Biyani - Jury Request

Good afternoon, Ms. Kohn and Judge Serrott:

Thank you for the email. With more than 250 civil cases, the names of the parties in this case don't immediately come to mind as having been on my docket. So, regrettably, I don't recall it immediately. Though I do feel like this is the case wherein I filed an entry, asking counsel if they were comfortable with me continuing to preside because I worked with Ms. Fannin previously, though my objectivity was not in question regarding the case, itself. Despite my representation, counsel for one of the parties asked me to recuse (I think that's how I ended up losing this one). But if that's not right, I do recall that as a part of the transfer of some case from my docket (I presume this one), I received the Clawson case from Judge Serrott's docket.

Details aside, as you are likely aware based on your time in service here, there is a historical precedent and constitutional basis for prioritizing the assignment of criminal jury panels over requests for jury panels in civil matters. What I have tried to do in my 7 months of service as Administrative Judge, however, is to implement an assignment system, honoring the belief that civil matters are as important to the lawyers and litigants who prepare as criminal matters for which intractable constitutional rights are in play. How I make the final determination has not always made everyone the happiest (which, gratefully, is not the litmus test), but there is not an instance in which the requesting judge has not received a panel with the number of prospective jurors requested or provided a panel at the level contemplated by our local rule.

To that end, we will do our best to fill this request. This week, there were only 2 requests for panels, so the 25-30 projection would have been feasible. One can only hope that our fortunes run the same next week or that there are not an extraordinary number of my colleagues who request a panel for a criminal matter. In either event, I will keep you posted.

Best,  
Judge KC

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**From:** Kohn, Paige E. <Paige\_Kohn@fccourts.org>  
**Sent:** Tuesday, July 19, 2022 3:19 PM  
**To:** Cocroft, Kimberly X. <Kimberly\_Cocroft@fccourts.org>  
**Cc:** Serrott, Mark A. <Mark\_Serrott@fccourts.org>  
**Subject:** 19CV1804 - Haggins v. Biyani - Jury Request

Good Afternoon Judge Cocroft,

On behalf of Judge Serrott, he would like to request 25-30 jurors for a medical malpractice case we have set for trial on August 8, 2022. It is expected to go two weeks and there are multiple parties, thereby increasing peremptory challenges. Coincidentally, this was formerly your case so you may recall it.

We would greatly appreciate any assistance on this matter. Please let me know if you have any questions.

Thank you,

Paige



**Paige E. Kohn**

Staff Attorney to the Honorable Mark A. Serrott

**Franklin County Common Pleas Court**

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**Cocroft, Kimberly X.**

---

**From:** Kopel, Caroline J.  
**Sent:** Friday, August 26, 2022 1:18 PM  
**To:** Cocroft, Kimberly X.  
**Cc:** Page, Jaiza N.; Goodman, Jennifer L.; Worthington, Stacy A.; Brown, Kimberly J.  
**Subject:** Re: Translation Request

Good Afternoon Your Honor,

Thank you so much for your quick reply, and my apologies for reaching out to you while you are out of the office!

I will definitely be available and look forward to meeting Monday at 12:15 pm about the court form translation project, and I will not begin this project until I hear from you and the other Judges and Directors how you would like to proceed. Thank you again for including me!

Thank you!

Caroline

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**From:** Cocroft, Kimberly X. <Kimberly\_Cocroft@fccourts.org>  
**Sent:** Friday, August 26, 2022, 1:08 PM  
**To:** Kopel, Caroline J.  
**Cc:** Page, Jaiza N.; Goodman, Jennifer L.; Worthington, Stacy A.; Brown, Kimberly J.  
**Subject:** Re: Translation Request

Good afternoon, Caroline!

Thank you for reaching out to me.

At our first Judges' Meeting in January 2022, I informed all of the judges that translation of forms would be an initiative of the Access to Justice Committee. So what I will do is send an email to all judges on Monday, reminding them of this effort and advising that we are going to undertake a comprehensive review of all forms that all judges use so that the initiative will be impactful across all courtrooms.

As we discussed, Bruno Romero suggested using Language Line translators service to facilitate this effort. So, let's plan to Zoom on Monday at 12:15 (if that works for you), along with everyone copied on this message if they are available so that we can identify what forms should be translated and so that this will be the comprehensive effort I have already informed the Court that it will be.

I appreciate you!

Be well,  
Judge KC

Sent from my iPhone

On Aug 26, 2022, at 12:41 PM, Kopel, Caroline J. <Caroline\_Kopel@fccourts.org> wrote:

Good Afternoon Your Honor,

I have received a request from Judge Munson to translate the forms that their courtroom uses to facilitate pleas and sentencing with LEP individuals due to their uptick in interpreter cases. Fayth showed me all of the forms their courtroom uses, but said that specifically the Judge would like the Plea form, No Contest plea form, and the Indefinite Sentencing form translated as a first priority, but that the other forms could wait. They heard that I had the standard plea form translated into Spanish last year for Judge Frye per his request. I let Fayth know that I would be happy to assist the Judge, but that coincidentally you are also initiating a project involving the translation of forms for the Court to use, and so I would need to check with you first before proceeding.

How would you like me to proceed? Should I start to get estimates for the translation of just the Plea Form, No Contest Plea form, and the Indefinite Sentencing forms into Spanish, Somali, and Nepali, since those would be forms that all Judges might find useful, circle back with you to get your approval on the final estimates before moving forward, and then you can tell me which additional forms you would like to be translated at our upcoming meetings? Is there another way you would like me to proceed? Getting the estimates will take some time, especially for the Somali and Nepali versions since there are less translators that work in those languages. Please let me know how you would like me to proceed. I want to make sure that I am honoring your vision for this project as I am so excited that you proposed it!

Thank you,

Caroline



**Caroline Kopel**

Language Access Coordinator

**Franklin County Common Pleas Court**

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**Cocroft, Kimberly X.**

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**From:** Cocroft, Kimberly X.  
**Sent:** Monday, August 29, 2022 9:46 AM  
**To:** Munson, Sheryl K.; McCallum, Fayth M.  
**Cc:** Page, Jaiza N.; Brown, Kimberly J.; Goodman, Jennifer L.; Bedsole, Susan E.; Canada, Kimberly; Worthington, Stacy A.; Johnson, Valerie A.; Kopel, Caroline J.  
**Subject:** RE: Translation of Forms

I appreciate your response, Judge. I am certain that, in your service with the Franklin County Public Defender's Office, there were many concerns you encountered as a practitioner. That is why I want to be intentional in formulating a plan as a Court that addresses this and other issues in a systemic way, so that justice-involved individuals do not have varied experiences based on the "luck" of an assignment.

Again, with your years of service as a defense lawyer, your insight may be a helpful addition to the Access to Justice Committee. I look forward to your response on whether or not you would like to be a part of the Committee for 2023.

Be well and have a great day.

Best,  
KC



**Judge Kimberly Cocroft**

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---

**From:** Munson, Sheryl K. <Sheryl\_Munson@fccourts.org>

**Sent:** Monday, August 29, 2022 9:19 AM

**To:** Cocroft, Kimberly X. <Kimberly\_Cocroft@fccourts.org>; McCallum, Fayth M. <Fayth\_McCallum@fccourts.org>  
**Cc:** Page, Jaiza N. <Jaiza\_Page@fccourts.org>; Brown, Kimberly J. <Kimberly\_Brown@fccourts.org>; Goodman, Jennifer L. <Jennifer\_Goodman@fccourts.org>; Bedsole, Susan E. <Susan\_Bedsole@fccourts.org>; Canada, Kimberly <Kimberly\_Canada@fccourts.org>; Worthington, Stacy A. <Stacy\_Worthington@fccourts.org>; Johnson, Valerie A. <Valerie\_Johnson@fccourts.org>; Kopel, Caroline J. <Caroline\_Kopel@fccourts.org>  
**Subject:** RE: Translation of Forms

Good morning. I appreciate your update in this matter. I was aware of the concerns raised by the SC previously as to the issues surrounding certified translators because, as a senior attorney at the Public Defender Office, it was of significant concern to me and my colleagues as well—in addition to our having concerns that defendants for whom English is not a first language, not having access to guilty plea forms (first and foremost of concern in accessibility issues) drafted in their own languages. As a result of that having been a concern for the twenty plus years that I practiced in this courthouse, I wanted to address it, at a minimum, in my own courtroom.

However, it sounds as though you, along with the Access to Justice Committee, have it well in hand. I appreciate your efforts and your taking the time to explain them to me.

EXHIBIT

14

My Best,  
Sheryl



**Judge Sheryl K. Munson**

Franklin County Common Pleas Court  
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**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Sent:** Sunday, August 28, 2022 9:53 PM

**To:** Munson, Sheryl K. <[Sheryl\\_Munson@fccourts.org](mailto:Sheryl_Munson@fccourts.org)>; McCallum, Fayth M. <[Fayth\\_McCallum@fccourts.org](mailto:Fayth_McCallum@fccourts.org)>

**Cc:** Page, Jaiza N. <[Jaiza\\_Page@fccourts.org](mailto:Jaiza_Page@fccourts.org)>; Brown, Kimberly J. <[Kimberly\\_Brown@fccourts.org](mailto:Kimberly_Brown@fccourts.org)>; Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>; Canada, Kimberly <[Kimberly\\_Canada@fccourts.org](mailto:Kimberly_Canada@fccourts.org)>; Worthington, Stacy A. <[Stacy\\_Worthington@fccourts.org](mailto:Stacy_Worthington@fccourts.org)>; Johnson, Valerie A. <[Valerie\\_Johnson@fccourts.org](mailto:Valerie_Johnson@fccourts.org)>; Kopel, Caroline J. <[Caroline\\_Kopel@fccourts.org](mailto:Caroline_Kopel@fccourts.org)>

**Subject:** Translation of Forms

Good evening, Judge Munson and Ms. McCallum:

First, I hope that each of you had a great weekend. Next, it is my understanding that you expressed an interest in having several forms translated for justice involved individuals who have limited English proficiency. To that end, I wanted to share information with you regarding the Court's efforts to address this issue.

During the January 2022 Judges' Meeting, I informed the Bench that, as a part of my service as Administrative Judge, I chose to create and implement the Access to Justice Committee for the purpose of identifying gaps in the Court's delivery of services. Areas of focus that I highlighted in that meeting were implementing an online portal to facilitate payment of financial sanctions (which is in its final testing phase), increasing the number of translators, and translating various forms used in both Court and Probation operations. While Ms. Kopel serves our Court with the highest levels of professionalism and excellence as our Language Access Coordinator, I thought it both appropriate and in the best interest of the Court and Ms. Kopel that we confer with the Supreme Court of Ohio's Language Services Program to ensure that our efforts are consistent with the high court's practices and expectations for all courts, as expressed in the Rules of Superintendence. In order to ensure that our Court is compliant with those practices and expectations, I spoke with Bruno Romero, Language Services Program Manager, on August 11 to discuss the appropriate process for translating forms. Mr. Romero provided me with information for a company that translates forms for Courts across Ohio, as well as the names of additional certified interpreters who could be used as a second-layer of "protection" (not a requirement, per Mr. Romero) to ensure that the translation maintains the legal integrity of court documents, so that litigants are fully and accurately advised.

The Access to Justice Committee has met to discuss this project. Additionally, Ms. Kopel and I have met to discuss this initiative that includes not only identifying all forms that should be translated for both Court and Probation operations, but also includes an assessment of those languages that should be included (after conferring with Mr. Romero and Ms. Kopel, we will translate forms in Spanish, Somali and Nepali) and the preparation of companion signage to post in the Courthouse complex and, potentially, on the Court's website so that the Court creates a comprehensive response and plan of action for justice-involved individuals and their family members who have limited English proficiency.

I know that there may have been a request from one of our colleagues to translate a form last year; however, Judge Munson, prior to your service on the bench, the high court raised a concern regarding our Court's use of certified translator services. So it is my preference to err on the side of caution in an effort to protect Ms. Kopel and the Court as we manage what will be a significant undertaking to modernize the Court's services.

This is a project that is important to me for many reasons, not the least of which is that the communities that will be impacted positively by this service are communities who are often overlooked and underserved but who become critical and convenient audiences for individuals and groups at various points throughout a year. Beyond that, I believe it is a legal, ethical and moral imperative that we create a comprehensive and all-inclusive solution that can be implemented in every courtroom in our complex and that we implement the solution in a way that is thorough and thoughtful in order to maintain the integrity and institutional reputation of our Court.

As we navigate this process, I will keep both of you updated on our progress. Judge Munson, if you have an interest in serving on the Access to Justice Committee for 2023, then please let me know. Judge Page and Judge Kim Brown have done an outstanding job of leading the Committee in its inaugural year and I am always grateful to add judges who see the value of this work and are willing to work cooperatively to ensure that our Court continues to be a leader in Ohio.

Thanks and be well.

Best,  
Judge KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

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**Cocroft, Kimberly X.**

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**From:** Cocroft, Kimberly X.  
**Sent:** Thursday, October 27, 2022 3:36 PM  
**To:** Stephens, Kaitlyn; Zeyen, David F.; Venters, Yeura R.; Kurila, Catherine M.; Thomas, Larry; Worthington, Stacy A.; Bedsole, Susan E.; Goodman, Jennifer L.  
**Subject:** Criminal Settlement Week Framework  
**Attachments:** CRIMINAL SETTLEMENT WEEK PILOT PROGRAM FRAMEWORK.pdf

Good afternoon:

I have attached the draft of the Criminal Settlement Week Framework. I attempted to integrate all of the feedback I received, the information compiled by our administrative team and my own thoughts about what I envision for this project. While I feel like Option One may be easiest to implement, these options are subject to review, revision and reimagining. So I look forward to your thoughts.

Sidebar – I am out of the office tomorrow (which is why I am sending this today). Next week, I will reach out to determine another date and time on which we can have a follow-up Zoomversation after everyone has had an opportunity to contemplate the proposals.

Once again, thank you for your willingness to create and to implement what I believe will be a worthwhile project.

Best,  
Judge KC



**Judge Kimberly Cocroft  
Administrative Judge**

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## **CRIMINAL SETTLEMENT WEEK PILOT PROGRAM FRAMEWORK**

### **OPTION ONE- Proposed Process for Pilot Program to Begin January 2023**

- The docket for a Judge (Judge Cocroft for the Pilot) will be examined
- A Settlement Week schedule will be set (e.g. last week of the month)
- Cases to be included in the Pilot Program will be lower level felonies (F4, F5 offenses) with an originally assigned hearing date that is scheduled 1 month prior to the designated Settlement Week
- A list of the cases will be sent to assigned counsel, along with a miscellaneous hearing date to discuss a possible resolution
  - To facilitate the scheduling process, the parties are encouraged to schedule the miscellaneous hearing using Zoom or Teams technology
- No later than 2 weeks after the miscellaneous hearing, counsel shall advise the Court whether a resolution was reached or whether the Court's guidance is needed to facilitate a resolution
- If a resolution is reached, then the matter can be resolved during the designated Settlement Week and the originally signed hearing date will be vacated
- All paperwork and documents to assist in resolution should be exchanged prior to the scheduled Settlement Week hearing date
- If a resolution is not reached, then the originally assigned hearing date will be maintained

### **OPTION TWO – Proposed Process for Pilot Program to Begin January 2023**

- The docket for a Judge (Judge Cocroft for the Pilot) will be examined for a specific week
- All F4 and F5 cases set for trial during the specified week will be identified
- Counsel assigned to the case will meet to discuss the identified cases to determine which F4 or F5 cases may be appropriate for resolution through the Pilot Program
- Once cases are selected, a miscellaneous hearing will be set three weeks (TBD) prior to the trial date. The hearing will be set in the afternoons beginning on Monday and continuing through the week depending upon the number of cases selected
- At the hearing, counsel should be prepared to discuss the status of the case and what needs to be negotiated or determined to resolve the case on the trial date
- After the hearing, counsel should continue to meet to negotiate resolution
- At the trial date, resolution of the case should be presented to the Court

## **CRIMINAL SETTLEMENT WEEK CONSIDERATIONS**

- Conversion of restitution to promissory notes so as to not keep defendants on probation for the full 5 years
- Community service in lieu of court costs/fines (Concern relating to requests for Workers Compensation if injured during community service)
- Community/social resources – “in lieu of drug testing”
- Diversion opportunities (with promissory notes)
- Alternative resolutions for FTA and Escape charges

**Cocroft, Kimberly X.**

**From:** Robert Southers <Robert.Southers@franklincountymunicipalcourt.org>  
**Sent:** Thursday, September 8, 2022 12:31 PM  
**To:** Cocroft, Kimberly X.  
**Subject:** RE: Franklin County Municipal Court Criminal Record Sealing & Expungement Clinic

Judge Cocroft,

As of this morning, we had 53 people pre-registered. That is about on track from past years. Typically, we end up serving between 75-150 people at this event each year.

We are permitting walk-ups on a limited basis. We have a total of 40 volunteers with 14 of those being attorneys. Those volunteers will take as many walk-ups as we can on the day of the event. We also have trained some Columbus State law students to assist people who are not eligible with a CQE if that seems to be an appropriate option for that person.

We have radio ads playing on Power 107.5 and City Council has also promised to promote the event, so I expect that there will be a great deal of people interested in walking up. If you happen to know of any attorneys who may be interested in volunteering, we may still be able to accept attorney volunteers.

Thank you for your support of this event. Your Court's participation really elevates this event to the next level. We hold this event annually, so I will be sure to let you know as soon as I have a date for next year.

Finally, if there is ever anything that I can do to assist your access to justice committee, please let me know. On top of my role with the Center, I also chair a committee with the Self Represented Litigation Network, a national group of self help centers and others interested in helping unrepresented people. I have helped Courts across the Country address access to justice issues and would love to be involved in any way that would be useful to you.

Thank you again for your support of this event. I really appreciate how quickly you and the other Judges have pulled together this support!

Sincerely,

Robby Southers



**Robert Southers**  
Managing Attorney  
**Self Help Center and Dispute  
Resolution Department**  
375 South High St | 16th Floor | Columbus, OH 43215  
614.645.0517  
[Robert.Southers@franklincountymunicipalcourt.org](mailto:Robert.Southers@franklincountymunicipalcourt.org)

---

**From:** Cocroft, Kimberly X. <Kimberly\_Cocroft@fccourts.org>  
**Sent:** Thursday, September 8, 2022 12:22 PM  
**To:** Robert Southers <Robert.Southers@franklincountymunicipalcourt.org>  
**Subject:** RE: Franklin County Municipal Court Criminal Record Sealing & Expungement Clinic

Thank you for this information, Mr. Southers. I have already prepared a draft Order but appreciate this information.

As an aside, do you know how many individuals have registered for the event and will walk-ups be permitted if they have not scheduled an appointment?



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

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---

**From:** Robert Southers <[Robert.Southers@franklincountymunicipalcourt.org](mailto:Robert.Southers@franklincountymunicipalcourt.org)>

**Sent:** Thursday, September 8, 2022 12:10 PM

**To:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>; Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>;

Mathews, Angela D. <[AngelaMathews@franklincountyohio.gov](mailto:AngelaMathews@franklincountyohio.gov)>; Chance, Sharlene I.

<[sichance@franklincountyohio.gov](mailto:sichance@franklincountyohio.gov)>; Serrott, Mark A. <[Mark\\_Serrott@fccourts.org](mailto:Mark_Serrott@fccourts.org)>; Brown, Chris M.

<[Chris\\_Brown@fccourts.org](mailto:Chris_Brown@fccourts.org)>

**Subject:** RE: Franklin County Municipal Court Criminal Record Sealing & Expungement Clinic

Judges,

Thank you for all of your work to attend this event. I have attached the Administrative Order that our Administrative Judge issued in case that is helpful to you.

Thank you!

Robby Southers



**Robert Southers**

Managing Attorney

**Self Help Center and Dispute  
Resolution Department**

375 South High St | 16th Floor | Columbus, OH 43215

614.645.0517

[Robert.Southers@franklincountymunicipalcourt.org](mailto:Robert.Southers@franklincountymunicipalcourt.org)

---

**From:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>

**Sent:** Thursday, September 8, 2022 12:03 PM

**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>; Robert Southers

<[Robert.Southers@franklincountymunicipalcourt.org](mailto:Robert.Southers@franklincountymunicipalcourt.org)>

**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>;

Mathews, Angela D. <[AngelaMathews@franklincountyohio.gov](mailto:AngelaMathews@franklincountyohio.gov)>; Chance, Sharlene I.

<[sichance@franklincountyohio.gov](mailto:sichance@franklincountyohio.gov)>; Serrott, Mark A. <[Mark\\_Serrott@fccourts.org](mailto:Mark_Serrott@fccourts.org)>; Brown, Chris M.

<Chris\_Brown@fccourts.org>

**Subject:** RE: Franklin County Municipal Court Criminal Record Sealing & Expungement Clinic

Thank you Judge. Yes, I think you've fully and fairly captured where we are. It makes sense that, as Administrative Judge, you issue an order appointing me effectively to serve as Duty Judge for the limited purpose of attending the above-referenced Expungement Clinic for the limited purpose of swearing in those affidavits of indigency as may arise. Judge Serrott has graciously agreed to join me in this and split the time (Serrrott 10 a.m.-12:00; Aveni 12:00-2:00. Judge Chris Brown is hoping to join as overflow if a family obligation resolves.) Under those circumstances, if the Court could appoint all 3 in a single order, that probably resolves the ministerial aspects. I don't know whether we'll need the overflow or not, but many hands make light work, etc.

I have arranged with the clerk's office that I will take possession of the applications and personally deliver on Monday for manual filing, and I understand this is acceptable to them based on their procedures.

On a personal note, I would like to thank everyone for engaging so quickly to allow our participation on fairly short order. It's important work, and I'm glad to represent our court on this effort.



**Judge Carl A. Aveni**

Franklin County Common Pleas Court

345 South High Street | 6A | Columbus, OH 43215-4554

(P) 614.525.6281 | (F) 614.525.6292

[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org) | <http://www.fccourts.org>

**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Sent:** Wednesday, September 7, 2022 5:26 PM

**To:** Aveni, Carl A. <[Carl\\_Aveni@fccourts.org](mailto:Carl_Aveni@fccourts.org)>

**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>;

Mathews, Angela D. <[AngelaMathews@franklincountyohio.gov](mailto:AngelaMathews@franklincountyohio.gov)>; Chance, Sharlene I.

<[sichance@franklincountyohio.gov](mailto:sichance@franklincountyohio.gov)>

**Subject:** Franklin County Municipal Court Criminal Record Sealing & Expungement Clinic

Good afternoon, Judge:

I wanted to touch base with you regarding our conversation about the above-referenced event that is scheduled for this Saturday and the Mio-Grogan Recreation Center.

You shared that you had a conversation with Mr. Southers who is the Managing Attorney for the Municipal Court's Self-Help Resource Center and he invited you to participate in this event. Your concern related to whether it would be necessary for our Court to issue an Order that would permit you to waive filing fees for those applicants who were determined to be indigent. It is also my understanding that you had a conversation with Chief Deputy Mathews with the Clerk's Office and believed that you had reached a resolution that would allow you to participate.

It has now come to my attention that Sharlene Chance, who is Director of Legal Compliance for the Clerk, has advised Chief Deputy Mathews that an Order permitting the filing fee to be waived will be necessary, particularly given the fact that a member of the FCCP-GEN Clerk's Team will not be on-site (this is at least my understanding since this was originally an event planned in conjunction with Muni Court only) and given the fact that not all persons who have scheduled an appointment to have their cases reviewed at Saturday's clinic (which is a requirement for participating) may be deemed indigent.

Since Mr. Southers is anticipating your participation, I want to make this work in a way that protects you and the institutional integrity of both the Court and the Clerk. So I have copied all parties I believe are necessary to get the

information I need so that I can do whatever is necessary to facilitate your participation. I do not have Mr. Southers' email address but, if you have it and are willing to provide it to me, then I will certainly forward this communication to him. Additionally, if you have any other information that might be insightful, then please don't hesitate to share it with us.

Finally, as a point of reference, I have attached the flyer for this event so that everyone has the same insight regarding what is scheduled to occur on Saturday.

I look forward to hearing from the Clerk's Staff about our next steps to ensure your active participation, Judge.

Best,  
Judge KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

**Franklin County Common Pleas Court**

345 South High Street | 4th Floor | Columbus, OH 43215-4554

(P) 614.525.7200 | (F) 614.525.4641

[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org) | <http://www.fccourts.org>

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**CAUTION:** This email originated from outside of the Court. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you have questions, please contact [Court IT](#)

**Cocroft, Kimberly X.**

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**From:** Cocroft, Kimberly X.  
**Sent:** Thursday, September 8, 2022 2:29 PM  
**To:** Worthington, Stacy A.  
**Cc:** Goodman, Jennifer L; Bedsole, Susan E.  
**Subject:** RE: Sealing Record of Conviction and Expungement Clinic - Saturday, September 10

Hey, Stacy:

First, thank you for proactively reminding me about the new Forms for sealing record of convictions. With all of these immediate developments, that important component slipped my mind.

Next, I just spoke with Jane at Legal Aid and they love the forms. She shared that she meant to call me on yesterday but the day got busy (totally relatable).

With that said, I think we are ready to send the new forms to Mr. Southers and we can also provide the updated forms to the Clerk for inclusion on the website.

Thanks, again.

Best,  
Judge KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

Franklin County Common Pleas Court  
345 South High Street | 4th Floor | Columbus, OH 43215-4554  
(P) 614.525.7200 | (F) 614.525.4641  
[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org) | <http://www.fccourts.org>

---

**From:** Worthington, Stacy A. <[Stacy\\_Worthington@fccourts.org](mailto:Stacy_Worthington@fccourts.org)>  
**Sent:** Thursday, September 8, 2022 2:01 PM  
**To:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>  
**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>  
**Subject:** RE: Sealing Record of Conviction and Expungement Clinic - Saturday, September 10

Good afternoon, Judge,

Should email Robert Southers our updated applications that we recently tweaked since I assume they will be physically providing hard copies to the applicants?

Thanks, Stacy



**Stacy Worthington**

Director of Court Support Services  
Franklin County Common Pleas Court  
345 South High Street | 2nd Floor | Columbus, OH 43215-4554  
(P) 614.525.2529 | (F) 614.525.4480  
[Stacy\\_Worthington@fccourts.org](mailto:Stacy_Worthington@fccourts.org) | <http://www.fccourts.org>

**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>

**Sent:** Thursday, September 8, 2022 1:15 PM

**To:** GEN\_Judges <[GEN\\_Judges@fccourts.org](mailto:GEN_Judges@fccourts.org)>

**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>;

Worthington, Stacy A. <[Stacy\\_Worthington@fccourts.org](mailto:Stacy_Worthington@fccourts.org)>; Brown, Roxlauna S. <[Roxlauna\\_Brown@fccourts.org](mailto:Roxlauna_Brown@fccourts.org)>

**Subject:** Sealing Record of Conviction and Expungement Clinic - Saturday, September 10

Good afternoon:

On this Saturday, September 10, the Franklin County Municipal Court, in conjunction with several nonprofit agencies that provide legal and other assistance, will participate in a Criminal Record Sealing & Expungement Clinic. As a part of this Clinic, participants who are determined to be indigent will be permitted to prepare and to file an application to have record of conviction sealed without payment of the requisite filing fee. There will be lawyers present to provide pro bono assistance to attendees in completing the application and a representative from the Municipal Clerk of Court's Office will also be present to collect applications specific to that court.

While this event was planned originally in conjunction with Municipal Court only, Robert Southers, Managing Attorney for the Municipal Court's Self Help Resource Center, has had conversation with Judge Aveni in the past two days regarding his ability to participate on behalf of FCCP-GEN. To that end, I am crafting an Order that will facilitate participation by FCCP-GEN. Though the Clerk of Courts for FCCP-GEN will not have a representative present at this event, as neither our Court nor Clerk were involved in the initial planning process, Judge Aveni has agreed graciously to be the Keeper of Applications relating to our Court and to submit them to the Clerk for filing on Monday, September 12.

Because all of this has developed quickly, I wanted to ensure that the entire Bench was aware of this event and opportunity to serve. The role of any judge who chooses to participate will be to make a determination regarding a request to waive the filing fee. A copy of the flyer for this event is attached for your review and reference.

In talking with Mr. Southers today, he shared that 53 persons have pre-registered and that they anticipate between 75-100 will attend. If you are interested in participating in this event, which will be held from 10am-2pm, then please send an email to Roxlauna and she will provide that information to Judge Aveni. It is my understanding that, in addition to Judge Aveni, Judges Serrott and Chris Brown have volunteered to serve. Regrettably, I will be unable to participate, as I have a previous obligation for another community event taking place at the Columbus Convention Center.

This event is being promoted on local radio stations and by other city and county offices, so I am confident that it will be an impactful service to the community. Finally, because this is an annual event, I have asked Mr. Southers to keep us apprised of the planning process for 2023.

Be well.

KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

**Franklin County Common Pleas Court**

345 South High Street | 4th Floor | Columbus, OH 43215-4554

(P) 614.525.7200 | (F) 614.525.4641

[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org) | <http://www.fccourts.org>

**Cocroft, Kimberly X.**

---

**From:** Cocroft, Kimberly X.  
**Sent:** Friday, September 9, 2022 10:32 PM  
**To:** Brown, Roxlauna S.  
**Subject:** Re: Sealing Record of Conviction and Expungement Clinic - Saturday, September 10

Thank you, Roxlauna! You're the best!

Sent from my iPhone

On Sep 9, 2022, at 4:40 PM, Brown, Roxlauna S. <Roxlauna\_Brown@fccourts.org> wrote:

Good Afternoon,

Here's the list of Judges for tomorrow's event. Have a great weekend!

**Sealing Record of Conviction and Expungement Clinic**  
**Saturday, September 10, 2022**  
**10am - 2pm**

Judge Aveni  
Judge C. Brown  
Judge Serrott

Thank You,



**Roxlauna Brown**  
She/Her/Hers  
Executive Assistant  
Franklin County Common Pleas Court  
345 South High Street | 2nd Floor | Columbus, OH 43215-4554  
(P) 614.525.7492 | (F) 614.525.4480  
[Roxlauna\\_Brown@fccourts.org](mailto:Roxlauna_Brown@fccourts.org) | <http://www.fccourts.org>

---

**From:** Cocroft, Kimberly X. <Kimberly\_Cocroft@fccourts.org>  
**Sent:** Thursday, September 8, 2022 1:15 PM  
**To:** GEN\_Judges <GEN\_Judges@fccourts.org>  
**Cc:** Goodman, Jennifer L. <Jennifer\_Goodman@fccourts.org>; Bedsole, Susan E. <Susan\_Bedsole@fccourts.org>; Worthington, Stacy A. <Stacy\_Worthington@fccourts.org>; Brown, Roxlauna S. <Roxlauna\_Brown@fccourts.org>  
**Subject:** Sealing Record of Conviction and Expungement Clinic - Saturday, September 10

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KC



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

Franklin County Common Pleas Court

345 South High Street | 4th Floor | Columbus, OH 43215-4554

(P) 614.525.7200 | (F) 614.525.4641

[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org) | <http://www.fccourts.org>

## Cocroft, Kimberly X.

---

**From:** Cocroft, Kimberly X.  
**Sent:** Thursday, September 8, 2022 1:15 PM  
**To:** GEN\_Judges  
**Cc:** Goodman, Jennifer L; Bedsole, Susan E; Worthington, Stacy A; Brown, Roxlauna S.  
**Subject:** Sealing Record of Conviction and Expungement Clinic - Saturday, September 10  
**Attachments:** Milo-Grogan-Event-9-10-22-Flyer.pdf

Good afternoon:

On this Saturday, September 10, the Franklin County Municipal Court, in conjunction with several nonprofit agencies that provide legal and other assistance, will participate in a Criminal Record Sealing & Expungement Clinic. As a part of this Clinic, participants who are determined to be indigent will be permitted to prepare and to file an application to have record of conviction sealed without payment of the requisite filing fee. There will be lawyers present to provide pro bono assistance to attendees in completing the application and a representative from the Municipal Clerk of Court's Office will also be present to collect applications specific to that court.

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Be well.

KC

EXHIBIT

17



**Judge Kimberly Cocroft**

Pronouns: She/Her/Hers

**Franklin County Common Pleas Court**

345 South High Street | 4th Floor | Columbus, OH 43215-4554

(P) 614.525.7200 | (F) 614.525.4641

[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org) | <http://www.fccourts.org>

## Cocroft, Kimberly X.

---

**From:** Frye, Richard A.  
**Sent:** Tuesday, August 16, 2022 2:48 PM  
**To:** Cocroft, Kimberly X.  
**Subject:** RE: Calling enough jurors?

You be well too, and don't let critics, or cynics, get you sidetracked.

AJ is a huge responsibility and you're doing it well, but the position does bring with it gossip. And, you made the right choice to push ahead with your trial before a murderer walked.

Richard A. Frye, Presiding Judge  
Franklin County Common Pleas Court  
345 South High Street, Courtroom 5F  
Columbus, OH 43215  
614-525-3811; 614-525-2464 (fax)  
[Richard\\_Frye@fccourts.org](mailto:Richard_Frye@fccourts.org)

---

**From:** Cocroft, Kimberly X. <[Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)>  
**Sent:** Tuesday, August 16, 2022 2:43 PM  
**To:** Frye, Richard A. <[Richard\\_Frye@fccourts.org](mailto:Richard_Frye@fccourts.org)>  
**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>  
**Subject:** RE: Calling enough jurors?

Judge:

I heard this from several lawyers who came to me and my staff personally to make cynical remarks about my having a panel. I presume that they (and probably many others) are under the impression that I gave myself jurors just because I make the assignments, not realizing that I am trying a two-year old murder with an "in" defendant who was not waiving time and the State had 3 days of speedy trial time left. I tried to facilitate a resolution in the case short of trial and even contemplated not giving myself the assignment and managing the consequences of that choice, all to avoid just the kind of cynicism my staff and I faced.

Ironically, after the defendant rejected the offer initially (and more than once), the defendant came to court today to ask for the offer and the State indicated it was no longer available. When I finally learned of our juror numbers yesterday (many people knew before I was informed), I reached out to Jen and Susan to see if we could get muni jurors to assist but we never received a return call from either the Court Administrator or Jury Manager. I agree that the phone-in system is a long-term fix, but I think we should start thinking about it. I am also going to send a substantive email today to the judges on this issue. We have two immediate solutions that we will share and will continue to contemplate others.

I appreciate that you were willing to bring this to my attention directly, versus having quiet conversations. We would all prefer that none of this happened but here we are. In truth, COVID has changed the way the people even respond to juror summons but we will do what we can to ensure a more robust jury pool.

Thanks and be well.

EXHIBIT

**From:** Frye, Richard A. <[Richard\\_Frye@fccourts.org](mailto:Richard_Frye@fccourts.org)>

**Sent:** Tuesday, August 16, 2022 2:23 PM

**To:** Coccoft, Kimberly X. <[Kimberly\\_Coccoft@fccourts.org](mailto:Kimberly_Coccoft@fccourts.org)>

**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>

**Subject:** RE: Calling enough jurors?

Thanks for getting to this so promptly. I sent a note because I thought you were in trial and might not have heard all this.

The call-in system will probably take some time (and more staff?) to implement given the large number of jurors we summon. But, it seems to work in many other courts – though they call fewer jurors – so it is worthwhile investigating.

Richard A. Frye, Presiding Judge  
Franklin County Common Pleas Court  
345 South High Street, Courtroom 5F  
Columbus, OH 43215  
614-525-3811; 614-525-2464 (fax)  
[Richard\\_Frye@fccourts.org](mailto:Richard_Frye@fccourts.org)

---

**From:** Coccoft, Kimberly X. <[Kimberly\\_Coccoft@fccourts.org](mailto:Kimberly_Coccoft@fccourts.org)>

**Sent:** Tuesday, August 16, 2022 1:15 PM

**To:** Frye, Richard A. <[Richard\\_Frye@fccourts.org](mailto:Richard_Frye@fccourts.org)>

**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>; Bedsole, Susan E. <[Susan\\_Bedsole@fccourts.org](mailto:Susan_Bedsole@fccourts.org)>

**Subject:** RE: Calling enough jurors?

Good afternoon, Judge:

First, thank you for reaching out to me directly. You are correct; only 56 jurors reported on yesterday. It is also correct to say that, in my 8 months of service as Administrative Judge, we have never had 7 requests for panels in a week, nor have we had this low of a response rate. I believe that low number was influenced by several factors including, but not limited to, move-in day for Ohio State students and other issues.

The other part of the equation relating to this week of which you may not be aware is that, in one instance, a judge chose not to proceed to trial because the lawyers reviewed the questionnaires and did not want to make selection from those jurors that were available. Of course, there is nothing we can do to change that circumstance.

I have asked Susan and Jennifer to review all options, which includes increasing the number of jurors who are summoned. I have also asked them to investigate the costs of implementing a call-in system for jurors similar to what is used in Municipal Court. They are looking at all options and will give me something to consider by the end of the day and, of course, I will share that with everyone. The summoning modification to increase that number can be made immediately; however, it will necessitate that we address the fact that the City's Health Department is noting a continued high rate of transmission and, as such, has not relaxed social distancing protocols. Because the Courthouse is governed by the City, the Court would have to address this circumstance.

The other issue that we must recognize is that no matter how many people we summon, I cannot force those individuals to appear unless it is the desire of this Court to impose a sanction for failure to comply with summons.

As I shared, this has been a priority for me since I learned of it on yesterday. Regrettably, the information regarding the number of jurors was shared with many people before I became aware of the challenge that existed and, as such, I did not have an opportunity to respond more proactively, which is not to suggest that there is much of anything that I can do. But I'm on it and will circle back with you as quickly as possible.

Be well.

KC

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**From:** Frye, Richard A. <[Richard\\_Frye@fccourts.org](mailto:Richard_Frye@fccourts.org)>  
**Sent:** Tuesday, August 16, 2022 12:22 PM  
**To:** Coccoft, Kimberly X. <[Kimberly\\_Coccoft@fccourts.org](mailto:Kimberly_Coccoft@fccourts.org)>  
**Cc:** Goodman, Jennifer L. <[Jennifer\\_Goodman@fccourts.org](mailto:Jennifer_Goodman@fccourts.org)>  
**Subject:** Calling enough jurors?

I understand you are in trial, but wanted to mention this because we aren't meeting this month.

As you no doubt are aware the courthouse grapevine says we had only 56 jurors show up this week; so some judges who wanted to start trial reportedly could not. Is it time to return to calling the full number of jurors we used to summon each week before COVID? (I think it was enough that we received 125 or so jurors predictably.) One lawyer telling me about this said the backlogged felony cases that were going to plead-out probably already have done so, such that cases left that say they "want a trial" really do need jurors. I have several cases scheduled like that coming up.

Thanks for considering.

Richard A. Frye, Presiding Judge  
Franklin County Common Pleas Court  
345 South High Street, Courtroom 5F  
Columbus, OH 43215  
614-525-3811; 614-525-2464 (fax)  
[Richard\\_Frye@fccourts.org](mailto:Richard_Frye@fccourts.org)



# **G. GARY TYACK**

---

## FRANKLIN COUNTY PROSECUTING ATTORNEY

September 15, 2022

Judge Kimberly Cocroft  
Sent via email to: [Kimberly\\_Cocroft@fccourts.org](mailto:Kimberly_Cocroft@fccourts.org)

Dear Judge Cocroft,

I'm reaching out to you to express our office's desire to encourage the court to increase the number of summons issued for jury service.

In recent days, our assistant prosecutors have experienced case continuances due to a lack of juror response by the citizens failing to appear for service.

I know that you, as Administrative Judge, are aware of the backlog of criminal cases. We currently have over 230 untried and indicted homicide cases. We are anxious to bring them to resolution, but require the realistic expectation of trial in order to resolve the vast majority of them.

I would be happy to chat about our experiences if you have room in your schedule.

Thank you for your time and attention.

Very truly yours,

*Janet*  
Janet A. Grubb  
First Assistant Prosecuting Attorney  
Criminal Division

JAG/mk

Franklin County Office Tower • 373 South High Street, Columbus, Ohio 43215  
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EXHIBIT

19



*The Hon. Kimberly Cocroft*  
Franklin County Court of Common Pleas  
345 South High Street  
Courtroom 4E  
Columbus, Ohio 43215  
614-525-7200

September 16, 2022

Janet Grubb  
First Assistant Prosecuting Attorney, Criminal Division  
Franklin County Prosecuting Attorney  
373 S. High Street  
Columbus, OH 43215

Re: Prospective Juror Summons

Ms. Grubb:

I am in receipt of your correspondence, encouraging "the court to increase the number of summons issued for jury service" and reminding me of the backlog of cases created by the unprecedented COVID-19 pandemic. As a former municipal court jurist who has likely navigated the experience for which you now articulate a level of uneasiness in your current service as First Assistant Prosecuting Attorney, I am both surprised and disappointed that you did not choose to call me directly prior to having this communication sent to me. We have spoken by phone on other occasions about other matters, and a proactive call would have given me an opportunity to provide you with information that would have obviated the necessity of having your letter sent to me. Nevertheless, I am happy to address the concerns you believe exist but will also provide the correct context for your inquiry.

During the past nine months that I have served as Administrative Judge, I have been intentional about monitoring the number of prospective jurors who report for duty, as well as the number of cases for which I receive a request for prospective jurors. Our administrative team has been diligent in compiling that data and I have attached a PDF document for your review that summarizes our statistical findings. What you will note is that, for the past nine months, or 36 weeks, there have been two weeks - the week beginning August 15, 2022 and the week beginning September 12, 2022 - during which I have been notified of at least six requests for jury panels. Specific to these two instances, it is important to recall that the week of August 15 was the beginning of the new academic year for most students at all grade levels and in many districts and that the week of September 12 was the week following the final holiday of Summer, as well as the beginning of a new academic year for the remaining students. Notwithstanding these two

instances, the Court has had enough prospective jurors for the remaining 34 weeks. As an example of how our available resources are not always utilized, it is also important to share that, during the week of August 15, 2022, prospective jurors were available for a criminal matter and the panel was assigned. However, I was informed that, after reviewing the questionnaires, the lawyers for both the State and Defendant decided that they did not want to proceed to trial with the prospective jurors who were both available and assigned. I am sure you can appreciate that there is no number of prospective jurors that could be summoned to avoid what appears to be, in that instance, a decision to "cherry-pick" a panel.

Be that as it may, you will note the PDF document reflects that, on average, I receive two to three requests for prospective jurors per week. You will also note that there have been instances where jurors were available, but a continuance was requested after a panel assignment had been made. Even though an occurrence of an insufficient jury pool has only occurred twice in 36 weeks, our Court has proactively implemented solutions to address what we believe to be an anomalous circumstance.

First, on August 15, 2022, I directed our administrative team to increase the number of persons summoned for jury duty. You may recall from your time on the bench that a summons is sent five (5) weeks prior to the service date. As such, the impact of our summons increase will be realized beginning this coming Monday, September 19, 2022. Next, effective August 15, 2022, our Court discontinued its practice of unlimited deferrals for jury service and has reinstated its policy of only allowing one (1) deferral for a three-month period, instead of a six-month period. The increase in time for deferrals was implemented in response to the COVID-19 pandemic. But, as the infection numbers continue to decrease and individuals become increasingly comfortable with being in large groups for extended periods of time, we thought it appropriate to return to our pre-COVID 19 deferral protocol. Finally, our Court will consider an additional measure in the very near future that will provide further reinforcement of juror resources (not that there has been any widespread or consistent dearth of jurors).

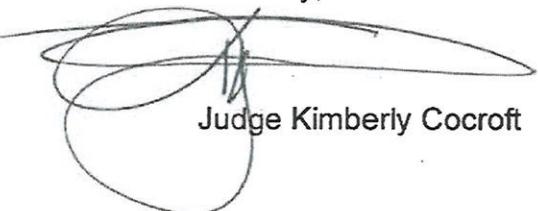
Having had a long career with the justice system, I am confident you can appreciate that no one part of the system can operate effectively or efficiently without the other. While the Court has done, is doing and will continue to do its part to ensure that matters are going to trial and have the resources necessary to facilitate a resolution, we cannot docket a matter for trial if there are issues associated with discovery, witness or trial counsel availability, or any other circumstance that is not the responsibility or under the control of this Court. We are sensitive to the number of newly indicted murder cases in Franklin County. We are also keenly aware of the fact that individuals charged with and persons who are victims of crime involving lower-level felony offenses also want those matters resolved in a thoughtful and efficient way. That is why I spoke with you and members of your leadership team about other ideas for managing lower-level felony cases, so that none of our time and energy is devoted unnecessarily to preparing and litigating those matters. In that regard, I am grateful that Mr. Zeyen and Mr. Venters have expressed sincere enthusiasm for the idea of criminal settlement weeks, and we will be meeting soon regarding that initiative.

Finally, it has come to my attention that there may be some effort from your office to identify those trial attorneys who have what they believe are definite trial dates in the next month to demonstrate a need for additional resources. While I understand vaguely the need to identify what may become an issue, the historical data we have complied does not suggest to us that either the Court or your staff should be anxious today about a situation that may not materialize tomorrow, within the next month, or ever.

I am hopeful that this communication will allay your apprehension about steps that the Court should take to address this issue. I can assure you that, as Administrative Judge, the reputation of this Court is my highest priority and, to that end, I will ensure that we are doing what we are obligated to do to honor our part in this collaborative process.

If you would like to talk with me about this communication or any other issue, then my door is always open for constructive conversation.

Sincerely,



Judge Kimberly Cocroft

cc: G. Gary Tyack, Franklin County Prosecuting Attorney

David Zeyen  
Jeff Blake  
Mark Wodarcyk  
Marla Farbacher  
Jennifer Goodman  
Susan Bedsole

JANUARY 1, 2022 THROUGH SEPTEMBER 15, 2022

Pool Report Date	Summoned	Jurors Reported	Yield	Jurors Ordered	Jury Trials Completed	Case Settled/Dismissed	Jury Waived	Case Continued	Def. Pled	Waitlist	Total Requested Cases for the week
1/3/2022	300	86	29%	56				1	1		2
1/10/2022	300	82	27%	27	1						1
1/18/2022*	300	78	26%	100	1		1	1	1		4
1/24/2022	300	105	35%	30				1			1
1/31/2022	300	100	33%	54					2		2
2/7/2022	300	110	37%	94	2			1	1		4
2/14/2022	225	73	32%	102	4			1			5
2/22/2022*	225	68	30%	26	1						1
2/28/2022	225	82	36%	24	1						1
3/7/2022	225	84	37%	88	4						4
3/14/2022	225	72	32%	104	3			1			4
3/21/2022	225	67	30%	80	1			1	1		3
3/28/2022	225	75	33%	28	1						1
4/4/2022	225	87	39%	134	4				1		5
4/11/2022	225	87	39%	48	1				1		2
4/18/2022	225	79	35%	108	3				1		4
4/25/2022	225	85	38%	94	2			2			4
5/2/2022	225	75	33%	58	1				1		2
5/9/2022	225	68	30%	78	2			1			3
5/16/2022	225	84	37%	114	3	1			1		5
5/23/2022	225	87	39%	110	3			1	1		5
5/31/2022*	225	52	23%	70	3						3
6/6/2022	225	68	30%	0							0
6/13/2022	225	81	36%	52	2						2
6/21/2022*	225	82	36%	0							0
6/27/2022	225	82	36%	24				1			1
7/5/2022*	200	44	22%	44	1				1		2
7/11/2022	225	90	40%	96	2			1	1		4
7/18/2022	225	73	32%	54	2						2
7/25/2022	225	89	40%	56	1						1
8/1/2022	225	78	35%	36				1			1
8/8/2022	225	88	39%	106	2	1			1	1	5
8/15/2022	225	56	25%	174	2			3		2	6
8/22/2022	225	79	35%	104	1			2	1		4
8/29/2022	225	74	33%	48	1				1		2
9/6/2022*	225	54	24%	48		1			1		2
9/12/2022**	225	70	31%	208	2			5	1		7
<b>AVERAGE</b>		<b>78.22</b>	<b>33%</b>	<b>72.35</b>						<b>TOTAL</b>	<b>106</b>

JANUARY 1, 2022 THROUGH SEPTEMBER 15, 2022

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